

NARANJO vs. STEPHEN B. SMITH

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FEB. 7TH, 2001

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<p>1 UNITED STATES DISTRICT COURT</p> <p>2 SOUTHERN DISTRICT OF FLORIDA</p> <p>3</p> <p>4 CASE NO. 00-6022 CIV-LENARD</p> <p>5</p> <p>6 HENRY NARANJO and</p> <p>7 MARLENE RAMIREZ,</p> <p>8 Plaintiffs,</p> <p>9 vs.</p> <p>10 STEPHEN BYRONS SMITH and</p> <p>11 PALMER JOHNSON, INC.</p> <p>12 Defendants.</p> <p>13</p> <p>14 Badiak Will & Kallen</p> <p>15 17071 W. Dixie Highway</p> <p>16 N.M. Beach, Fla.</p> <p>17 Feb. 7th, 2001 2:20 p.m.</p> <p>18</p> <p>19 DEPOSITION OF JOHN BREDBECK</p> <p>20</p> <p>21 taken before JULIO A. MOCEGA, R.P.R. and Notary</p> <p>22 Public in and for the State of Florida at Large,</p> <p>23 pursuant to Notice of Taking Deposition filed in</p> <p>24 the above case.</p> <p>25</p>	<p>1</p> <p>2</p> <p>3 INDEX</p> <p>4 WITNESS EXAMINATION</p> <p>5 Mr Bredbeck</p> <p>6 Mr. Famulari 4</p> <p>7 Mr. Kallen 117</p> <p>8 Mr. Weber 84</p> <p>9 Mr. Valdes 63, 97, 120</p> <p>10</p> <p>11</p> <p>12 EXHIBITS</p> <p>13 PLAINTIFF'S FOR IDENTIFICATION</p> <p>14 Exhibit No. 21 38</p> <p>15 Exhibit No. 22 38</p> <p>16 Exhibit No. 23 45</p> <p>17 Exhibit No. 24 45</p> <p>18 Exhibit No. 25 60</p> <p>19 Exhibit No. 26 62</p> <p>20 Exhibit No. 27 65</p> <p>21 Exhibit No. 28 77</p> <p>22 Exhibit No. 29 80</p> <p>23</p> <p>24</p> <p>25</p> <p>ERRATA SHEET</p> <p>Page 123</p>
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<p>1</p> <p>2 APPEARANCES:</p> <p>3</p> <p>4 BLANK & PERRY, P.A.</p> <p>5 BY: F. David Famulari, Atty.</p> <p>6 5730 S.W. 74th Street</p> <p>7 South Miami, Florida</p> <p>8 Co-Counsel on behalf of Plaintiffs</p> <p>9</p> <p>10 RIVKIND & PEDRAZA, P.A.</p> <p>11 BY: Manuel Valdes, Atty.</p> <p>12 66 West Flagler Street</p> <p>13 Suite 600</p> <p>14 Miami, Florida 33130</p> <p>15 Co-Counsel on behalf of Plaintiffs</p> <p>16</p> <p>17 TELEPHONE APPEARANCE:</p> <p>18 PINKERT LAW FIRM, LLP</p> <p>19 BY: David L. Weber, Atty.</p> <p>20 454 Kentucky Street</p> <p>21 P.O. Box 89</p> <p>22 Sturgeon Bay, Wisconsin 54235</p> <p>23 Co-Counsel on behalf of Palmer Johnson</p> <p>24</p> <p>25</p> <p>BADIAK, WILL & KALEN</p> <p>BY: John D. Kallen, Atty.</p> <p>17071 West Dixie Highway</p> <p>North Miami Beach, Fla. 33160</p> <p>On behalf of Stephen Byron Smith</p> <p>.....</p>	<p>1</p> <p>2 (Thereupon, a telephone call was</p> <p>3 placed to Valle & Craig to determine whether</p> <p>4 they would be appearing for this deposition and</p> <p>5 the conversatino with Frank J. Sioli was as</p> <p>6 follows.)</p> <p>7 MR. KALLEN: Frank, I want to make</p> <p>8 sure that neither you nor Larry nor anyone</p> <p>9 else from your office is attending the</p> <p>10 deposition.</p> <p>11 MR. SIOLI: That is my</p> <p>12 understanding.</p> <p>13 MR. KALLEN: Okay, goodbye.</p> <p>14 MR. SIOLI: Bye.</p> <p>15 MR. KALLEN: We are on the record.</p> <p>16 I spoke with David Weber, counsel for Palmer</p> <p>17 Johnson, who is attending this deposition by</p> <p>18 telephone and he advised me that no one from</p> <p>19 local counsel' office, that is Valle & Craig</p> <p>20 will be attending.</p> <p>21 David Weber also authorized us to</p> <p>22 proceed with the deposition and he will be</p> <p>23 calling in any minute, so with that.</p> <p>24 MR. VALDES: I agree with that. I</p> <p>25 was present in the room when all of those</p>

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1 conversations took place over the phone. On
 2 speakerphone, that is.
 3 THEREUPON:
 4 John Bredbeck, was called as a witness
 5 and, having been first duly sworn, was examined
 6 and testified as follows:
 7 DIRECT EXAMINATION:
 8 BY MR. FAMULARI:
 9 Q. Captain Bredbeck, my name is Dave
 10 Famulari and I am one of the attorneys
 11 representing Henry Naranjo. We want to ask you
 12 a series of questions today about your time on
 13 the motor yacht SOUVENIR.
 14 Give us your full name for the
 15 record.
 16 A. John Kenneth Bredbeck and I go by
 17 Jack.
 18 Q. What is your date of birth?
 19 A. 1-10-64.
 20 Q. And Social Security number?
 21 A. 281-46-4439.
 22 Q. Where were you born?
 23 A. Toledo, Ohio.
 24 Q. Do you have a permanent address
 25 besides the boat?

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1 A. My permanent mailing address is
 2 1126 South Federal Highway, Apartment 110, Fort
 3 Lauderdale, Florida, 33316.
 4 Q. Could you give us the benefit of a
 5 brief history of your educational background?
 6 A. Educational background? I
 7 graduated high school in 1982. I joined the
 8 U.S. Navy. Honorably discharged in 1986 at
 9 which time I went to Chapman Seamanship School
 10 in Stuart, Florida. I received a diploma from
 11 there.
 12 Came to Miami, got my captain's
 13 license. Worked as a dock master in Lauderdale
 14 Yacht Club for a year and a half until 1988 and
 15 was employed on board 125 foot Berger.
 16 Q. What was the name of that?
 17 A. ARARA III. A-R-A-R-A, III. I was
 18 first mate first and in 1991 the company put
 19 that boat for sale and I have been working for
 20 Stephen Smith as his private captain ever since.
 21 Q. That is since 1991?
 22 A. 1991.
 23 Q. Your time that you were at the
 24 Chapman School, how long were you there?
 25 A. Four months.

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1 Q. And what kind of training did they
 2 give you?
 3 A. It is basic, everything seamanship,
 4 you know, weather reading, weather maps, running
 5 the boat. Basically it is getting you geared up
 6 to take the Coast Guard exam.
 7 Q. And when did you take the Coast
 8 Guard exam?
 9 A. It would have been in -- I'd say
 10 '87 probably, the first time January of '87 I
 11 passed the test.
 12 Q. And in 1987 what license did they
 13 give you?
 14 A. I started with a fifty ton inland
 15 operators' license because all of my sea time
 16 was in Lake Erie in Ohio where I grew up and
 17 after a year on board the ARARA I upgraded to a
 18 two hundred ton because I had the time and
 19 service on the vessel of that size.
 20 Q. Okay, today what kind of license do
 21 you hold?
 22 A. I still have a two hundred ton near
 23 coastal master license with the U.S. Coast Guard
 24 with a five hundred ton mate endorsement.
 25 Q. And have you continuously had a

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1 license since you got the first one in 1987?
 2 A. Yes, I have.
 3 Q. Tell me a little bit about your
 4 experience on the Great Lakes?
 5 A. My experience on the Great Lakes?
 6 Q. Yes?
 7 A. I started sailing when I was eight
 8 years old. My parents belonged to a yacht club
 9 up there and it was pretty much like summer
 10 day-care.
 11 I went to swimming lessons in the
 12 morning and sailing lessons in the afternoon
 13 till I was around fifteen or sixteen and then I
 14 started racing more sea class sailboats as an
 15 fore deck and also helmsman.
 16 Q. Prior to 1997 when this incident
 17 took place had you ever had any technical
 18 training such as engineering, hydraulics
 19 anything like that?
 20 A. Not --
 21 Q. Formal?
 22 A. Formal, no, no.
 23 Q. Okay.
 24 A. I had done -- I had an Associates
 25 Degree in electronic engineering. From '92 to

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Page 11

1 '94 I went to school.
 2 Q. Where did you go to school?
 3 A. ATI in Fort Lauderdale.
 4 Q. So Associates Degree in electric --
 5 A. Electronics engineering.
 6 Q. When was it that you first became
 7 associated with Stephen Byron Smith?
 8 A. He hired me to take his 53 foot
 9 boat which was his first one in April of 1991 to
 10 Chicago for him.
 11 Q. And what were your duties and
 12 responsibilities for that first boat?
 13 A. My duties -- basically that was, I
 14 was hired as a delivery captain basically to
 15 deliver the boat from Fort Lauderdale to
 16 Saugatuck, Michigan which is where he planned to
 17 keep the boat in the summer.
 18 Q. And after you did that what did you
 19 do for Mr. Smith next?
 20 A. I didn't stay on that boat
 21 full-time, but when he, in the summer at the
 22 time he was still working he would only have his
 23 two or three weeks off in the summer, he would
 24 call me and I would fly up. He would fly me up
 25 to Chicago or Saugatuck, wherever they wanted to

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1 leave from, and I would take him on his little
 2 three week cruise around Lake Michigan and
 3 Saugatuck and all of that and back to Chicago
 4 and we would do dinner parties for a while and
 5 then I would bring the boat down to Naples for
 6 him.
 7 Q. And during that time period when
 8 you weren't working with Mr. Smith what were you
 9 doing?
 10 A. I worked -- I did yacht deliveries
 11 for whoever hired me. I worked, did a refit on
 12 the Aga Khan's boat, a 120 foot, called the
 13 KALAMOON (phonetic).
 14 Q. The refit on --
 15 A. That, I did that, I was doing that
 16 during the time that I was going to school for
 17 my electronic engineering.
 18 Q. Where was that refit done?
 19 A. In Bradford.
 20 Q. Bradford does everything, don't
 21 they?
 22 A. I have been going to Bradford, yes,
 23 since '87.
 24 (Thereupon, Mr. Weber joined the
 25 deposition through the speakerphone.)

1 MR. FAMULARI: David?
 2 MR. WEBER: Okay, I am here.
 3 (Discussion off the record.)
 4 MR. KALLEN: You are on the line
 5 and if you can hear us, we are proceeding.
 6 MR. FAMULARI: David, I have just
 7 been going -- this is Dave Famulari.
 8 MR. WEBER: Okay.
 9 MR. FAMULARI: I was just going
 10 over basic background stuff. We haven't
 11 even gotten to the boat yet.
 12 MR. WEBER: Sorry for the delay.
 13 Thanks a lot.
 14 BY MR. FAMULARI:
 15 Q. The refit on the Aga Khan's boat,
 16 what year was that?
 17 A. That would have been '92, '93,
 18 somewhere in that zone.
 19 Q. And generally what was your
 20 involvement in that?
 21 A. I was basically helping out the
 22 engineer, assist the engineer. He hurt his back
 23 and he couldn't be down in the engine room. I
 24 was his eyes and ears with the MTU guys. We
 25 were doing a W6 on their engines.

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1 Q. And was that just an engine repower
 2 or were you doing other things on the boat?
 3 A. They were doing lots of things, but
 4 my main involvement was in the engine refit.
 5 Q. How long were you involved in that
 6 project?
 7 A. About seven months.
 8 Q. Was there any welding going on that
 9 you were involved in on that vessel?
 10 A. No.
 11 Q. What was the hull of that vessel
 12 made of?
 13 A. It was aluminum.
 14 Q. Okay, after you finished with that
 15 what was your next involvement with Mr. Smith?
 16 A. 1994, March of 1994, I believe it
 17 was, he bought a 66 foot Ocean Alexander and I
 18 have been his full-time captain ever since.
 19 That boat was fiberglass.
 20 Q. How long is that boat?
 21 A. That was 66.
 22 Q. 66?
 23 A. Yes.
 24 Q. Was there any major work done on
 25 that boat while you worked on it?

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1 A. The 66 footer?
 2 Q. Yes?
 3 A. Yes, we did a complete refit on
 4 that boat. Not -- minus the engines and all of
 5 that, but replaced all of the windows. We did
 6 new washers and dryers, new Delta T ventilation
 7 system for the engine room. A lot of
 8 electronics added. My boss is an electronic
 9 nut.
 10 Q. What was your day-to-day
 11 involvement in that refit?
 12 A. Overseeing, making sure that it
 13 gets done and we get out of there as soon as
 14 possible so the boss can have his boat again.
 15 Q. Where was that done?
 16 A. Well, that one wasn't a total one.
 17 It kind of evolved as it went along and it took
 18 place in several different boat yards.
 19 Q. Did any of it take place at
 20 Bradford?
 21 A. Yes.
 22 Q. Do you recall any of the people
 23 that you worked with at Bradford on that, say
 24 project manager or any of the --
 25 A. It was Joe Quinn was usually in

1 A. Two months.
 2 Q. Did you operate the boat during
 3 that time period?
 4 A. Yes.
 5 Q. What places did you go to?
 6 A. We took delivery of the boat in
 7 Fort Lauderdale. We took it to Key West by way
 8 of Marathon and from Key West back to Naples and
 9 we were in Naples the Saturday before Easter of
 10 '97 there, whatever date that would have been.
 11 That is when we took a ride with
 12 the cruise or whatever, people on board and
 13 while he was in the middle of showing his new
 14 boat off we took it up to crew speed or past
 15 crew speed.
 16 You know, he wanted to show
 17 everybody how fast his boat would go and that
 18 lasted about a minute half and we blew the
 19 starboard engine.
 20 Q. Was that the catalyst to do a refit
 21 on the vessel?
 22 A. Yes, it was.
 23 Q. Who decided what was going to be
 24 done on the refit?
 25 A. Well, Mr. --

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1 charge of it back in those days. Torch was
 2 around. Mark Tortora, we spoke with him.
 3 First day I can't remember, you know.
 4 Q. Did Henry Naranjo work on that job
 5 at all, if you remember?
 6 A. No, like I said, that was a
 7 fiberglass boat, so there wasn't much welding to
 8 be done on that particular boat.
 9 Q. That was in what year?
 10 A. From '94 to '97.
 11 Q. And what happened to the boat in
 12 1997?
 13 A. That is when he bought the palmer
 14 Johnson and he sold the Alexander and bought the
 15 Palmer Johnson in February of that year, of '97,
 16 Miami Boat Show.
 17 Q. Do you remember if he took delivery
 18 of the boat in February of '97?
 19 A. Yes.
 20 Q. Approximately?
 21 A. I am sure that he did. I think the
 22 deal closed about a week after the Miami Boat
 23 Show, so --
 24 Q. How long after it closed was it
 25 before it went into Bradford?

1 Q. Who was involved in it?
 2 A. Well, what do you mean by that?
 3 Q. Who helped make the decisions on
 4 all of the work that was going to be done?
 5 A. Well, Mr. Smith had his plans, what
 6 he wanted and then the rest of it was pretty
 7 much up to me to make it happen however we could
 8 make it happen.
 9 Q. Okay, what kind of things did he at
 10 least initially want done to the boat on the
 11 refit?
 12 A. Well, we -- once they -- When the
 13 engine blew, it was a Detroit and they were
 14 going to rebuild it.
 15 When they went to rebuild it the
 16 whole inside of it was rusted out, so they
 17 decided to do a, to do it properly they were
 18 going to have to take the engines out of the
 19 boat and bore them and dip them and all of these
 20 other things.
 21 And we were like, if we are going
 22 do that, we have to take these engines out we
 23 are not going to put Detroit's back in here. So
 24 we went out and bought brand Mans, new Northern
 25 Lights generators and that pretty much went on

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1 from there.

2 And the main thing my boss wanted
3 at the time was to make the top deck bigger
4 because it had a really small seating area and
5 then no boat deck and he wanted more of a boat
6 deck for putting more toys up on the fly
7 bridge. And we had to make the arch hydraulic
8 so we could make it to Chicago in the summer.

9 Q. Did somebody design that work, the
10 changes in the, on the fly bridge and the -- was
11 that something that yard did or --

12 A. Pretty much the yard, yes.

13 Q. Were you involved in any of the
14 decisions on how to put that together?

15 A. Well, we'd say we are going to need
16 this space here for a Seadoo and we need to, we
17 want to move the seats up and make the mast
18 hydraulic. And you go from there.

19 Q. When the boat first went to
20 Bradford was it taken out of the water?

21 A. Yes, it was.

22 Q. And how long was it out of the
23 water, if you can remember?

24 A. It came out of the water I would
25 say third week of April and I am sure that you

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1 can get a haul out schedule from one of these
2 documents.

3 Q. Uh-huh.

4 A. And we were -- We had just gone
5 back in the water three or four days before the
6 accident took place.

7 Q. What work was done on the vessel
8 while it was out of the water?

9 A. While it was out of the water?
10 Well, they cut a five and a half foot square
11 hole in the side of the starboard side of the
12 boat, starboard side of the boat, removed the
13 port and starboard engines, the port and
14 starboard generator. All of the isolation
15 transformers, basically gutted the engine room
16 down to just bare walls and then we reinstalled
17 the new generators and the new main engines and
18 they welded the side back up.

19 During all of this time we had to
20 change the underwater exhaust from a ten inch
21 hole to a twelve inch hole because we were
22 upgrading the horsepower of the engines and we
23 had to redo struts, four on the bottom of the
24 boat. We had to increase the size of the
25 shafts, new propeller because of the increased

1 horsepower and all of this was going on while we
2 were putting new hawse eyes in the cockpit and
3 the whole upper deck reconstruction.

4 As well as pulling all of the
5 windows out of the boat, too, because they were
6 like sand and we put glass back in.

7 Q. When the vessel was put back in the
8 water what was the state of completion of the
9 engine installation?

10 A. They were -- engines were installed
11 and they had been put in their spot, bolted down
12 and the shaft had been coupled up to them.
13 Other than that they weren't, there was no fuel
14 lines hooked up to them. They were just
15 basically in the boat.

16 Q. Was the exhaust system hooked up?

17 A. The exhaust system was hooked up.
18 All of the underwater welding and everything had
19 already taken place. The idea was to take it
20 back into the water because we had to go into a
21 spray shed so they could finish doing the paint
22 job.

23 Q. Were the propellers on the vessel
24 at that time?

25 A. Yes. There were no batteries on

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1 board the vessel at all, though, so, we couldn't
2 start or run anything if we wanted to.

3 Q. When the vessel was put back in the
4 water how was it moved around in the yard?

5 A. They towed it.

6 Q. Did it get moved more than once or
7 pretty much stay where it was?

8 A. No, they would have gone straight
9 from the launch facility at Bradford around
10 through the New River and back into one of the
11 spray sheds. I believe it was spray shed four,
12 three or four.

13 Q. Do you recall who the project
14 manager was on that particular job?

15 A. On that particular job it was
16 Torch.

17 Q. And what kind of interaction did
18 you have with Torch during this three month
19 period?

20 A. Almost daily. We would go over all
21 we needed to get done. He'd come to me with the
22 excuses why they couldn't get it done that day
23 and basically, basic project manager stuff.

24 Q. Okay, I see. What kind of dealings
25 would you have with Tony Watson?

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1 A. Tony Watson was the foreman of the
2 welding department and I had pretty much a daily
3 rapport with him also.

4 Q. When you first went up to Bradford
5 to have this refit done or the vessel went up
6 there, did you or Mr. Smith request that Henry
7 Naranjo be one of the welders working on the
8 vessel?

9 A. Not at first, but after a while
10 Henry was, he was always there everyday. Did
11 very excellent work and so I asked Tony if it
12 was at all possible if I had a choice of any
13 welders I would prefer to have Henry work on the
14 boat.

15 Q. Were you on the vessel everyday?

16 A. Pretty much, yes. I was living on
17 board the vessel after, once it went back in the
18 water. I was living on board, so I was --

19 While it was out of the water I did
20 not live on the vessel.

21 Q. But once it went back in?

22 A. I was living on board.

23 Q. Were you living on board when the
24 explosion took place?

25 A. Well, I was working on board.

1 Q. Was there a project going on down
2 there that was putting a new hydraulic steering
3 system on?

4 A. Yes.

5 Q. What was your involvement in that
6 project, that part of the project?

7 A. That part of the project? Well, it
8 was decided amongst the hydraulic people that we
9 had a, we used to have a steering pump that was
10 in the engine room and we were running hydraulic
11 lines from the engine room all the way aft to
12 the steering and we decided that we needed to do
13 away with all of that hydraulic hose running
14 through the boat in case something broke. So
15 they decided to put the steering pumps in the
16 lazarette in the cockpit which were right on the
17 other side of the, basically the old transom of
18 the boat where the running gear was, underneath
19 the owner's stateroom bed.

20 Q. Who designed that project, do you
21 know?

22 MR. KALLEN: Which.

23 BY MR. FAMULARI:

24 Q. The project of putting the new
25 steering, hydraulic steering units in?

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Page 24

1 Q. Working, but it was during that
2 time period?

3 A. Yes, it was, it was back in the
4 water.

5 Q. At the time of the explosion were
6 you on the vessel?

7 A. Yes, I was.

8 Q. And where were you?

9 A. I was in the engine room.

10 Q. And what did you observe when all
11 of this happened?

12 A. Well, I was down with the mechanic
13 and the electrician in the engine room and I
14 heard this massive explosion because there was,
15 you know, the air boxes were still fairly open
16 to the outside and we were inside of a tent, so
17 it echoed very nicely and you could feel the
18 whole boat shake.

19 Q. Just prior to the explosion taking
20 place and by just prior I mean, you know. The
21 two or three days before, what kind of work was
22 being done in the lazarette?

23 A. That I couldn't tell you because I
24 was on vacation the week before and I had just
25 returned the day before it happened.

1 MR. KALLEN: Let me object to the
2 form of the question when you say designed.

3 BY MR. FAMULARI:

4 Q. I mean who -- Let me ask you this.

5 Who came up with the idea to move the pumps back
6 there and decided how they were going to be put
7 in and how to run the piping and the hoses on
8 that?

9 A. That mainly would have been done by
10 Bruce Adkinson who was the head of the
11 subcontractor for the hydraulics, Kewanee
12 (phonetic) or something like that, had a little
13 mermaid on the side of his truck. Other than
14 that his name is Bruce Adkinson. I can find out
15 exactly how you spell it, but that is who did
16 the work.

17 Q. When you came back from vacation
18 were they already working back in the lazarette?

19 A. Yes. I came on a Sunday, so Monday
20 -- I believe this was a Monday when this took
21 place, the 7th would have been a Monday.

22 Q. Did you go into the lazarette that
23 morning or at anytime before the explosion took
24 place after you got back from vacation?

25 A. I would say yes, I did go down in

Page 25

Page 27

1 there.

2 Q. Do you recall any observations,
3 anything that you saw or any discussions that
4 you might have had with anybody?

5 A. The discussions were that they were
6 going to drill and tap the new pumps into the
7 plate. The guy Brian Mink (phonetic) that was
8 working for Bruce Adkinson, he was working in
9 there and he drilled holes and he is the one
10 that discovered that the plate was too thin to
11 tap into and that is when this new plan of
12 tapping a quarter inch or, I mean, a half inch
13 aluminum plate and then welding it to the deck
14 came about.

15 Q. What was his name, the gentleman
16 that was drilling the holes?

17 A. Brian Mink.

18 Q. And who did he work for?

19 A. He worked for Bruce Adkinson.

20 MR. WEBER: Excuse me, was that

21 Brian Mink, M-I-N-K?

22 THE WITNESS: I believe so.

23 BY MR. FAMULARI:

24 Q. Did either Bruce Adkinson or Brian
25 Mink report to you during their work on this

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1 project?

2 A. Well, they would have said that
3 they tried to drill and there wasn't enough meat
4 to tap into and that is when they would have
5 said we need to do something different.

6 Q. And again whose idea was it to put
7 the doubler plates on there that they were going
8 to tap into?

9 MR. KALLEN: Whoa, whoa, let's back
10 up.

11 MR. FAMULARI: Okay.

12 MR. KALLEN: Let me object to the
13 form.

14 MR. FAMULARI: Okay.

15 MR. KALLEN: I think you skipped
16 something there. I am not sure that there
17 was any testimony yet as far as tapping into
18 doubler plates or a decision to put doubler
19 plates.

20 MR. FAMULARI: Yes, I think before
21 he did say that --

22 MR. KALLEN: Okay.

23 MR. FAMULARI: -- That Brian Mink
24 had, or somebody from Adkinson discussed
25 they couldn't tap into the deck because it

1 was too thin so they were going to put some
2 doublers in and tap into, I think you said a
3 piece of half inch aluminum plate.

4 THE WITNESS: Yes.

5 BY MR. FAMULARI:

6 Q. Do you know where that idea came
7 from?

8 A. I think that was the only logical
9 explanation to handle at the time.

10 Q. Do you know who thought of it and
11 if you don't, that is fine?

12 A. No, I would say I don't.

13 Q. Do you recall being involved in any
14 of the discussions on how to, how they were
15 going to mount those pumps?

16 A. They said we could just put the
17 pumps right on this plate and weld the plate to
18 the deck and we would be basically a half inch
19 higher than we were going to be in the first
20 place.

21 It was the only place available in
22 the cockpit to put the pumps and we already had
23 everything laid out for that location.

24 Q. Do you recall if Tony Watson was
25 there during any of those discussions?

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1 A. Tony Watson, I'm sure he would have
2 had to have been there for at least part of the
3 discussion because he would be the one to tell
4 Henry that that is what had to be done.

5 Q. Do you recall Henry being there
6 during any of the discussions?

7 A. Usually when we were discussing a
8 job Henry was there and usually Tony was there
9 at the same time. I can't remember exactly if
10 they were there or not when this all took place,
11 but --

12 Q. Do you recall if prior to the
13 explosion and prior to that day when they were
14 discussing putting the hydraulic pumps in
15 whether there was any other hot work done in the
16 lazarette?

17 A. At that time I would say probably
18 not.

19 Q. When you took delivery of the boat
20 from, after the boat show, do you recall going
21 in the lazarette or inspecting the space back
22 there at all?

23 A. I had been in the lazarette many
24 times after the boat show, yes.

25 Q. But before the major refit started?

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1 A. Yes. We used it for storage so, I
2 mean, fenders were down there. Power cords were
3 down there. Every time that we pulled into a
4 dock I had to get down in the hold and dig
5 something out.

6 Q. Okay, and that is what I was going
7 to ask you, what you did, did you use it for
8 storage?

9 A. Yes.

10 Q. What did you use it for? Anything
11 else that you put in there?

12 A. No, it was mainly -- there was an
13 anchor back there, a spare anchor line for that,
14 about 200 feet of one inch line. We had, you
15 know, blow up fenders back there.

16 I believe we kept a boarding ladder
17 back underneath there. And other than that I
18 would -- It got wet, so you couldn't put
19 anything down there that couldn't take salt
20 water.

21 Q. Did the vessel carry -- did the
22 main yacht carry a tender?

23 A. Yes, it did.

24 Q. What was the power for the tender?

25 A. It was a fifty horse Yamaha four

1 the sea conditions.

2 Q. What kind of pumping system was
3 back in the lazarette?

4 A. It had two 24 volt power pumps that
5 had pick-ups down in the bilge area. And when
6 the float went on to turn on the bilge pumps a
7 light would come off either in the pilothouse or
8 the fly bridge letting you know that you had a
9 bilge pump running.

10 Q. And what was the -- Do you know
11 what the diameter of the intake was on those
12 pumps?

13 A. Not exactly. A guess, three
14 quarter, an inch.

15 Q. And you said they were 24 volt DC?

16 A. Yes.

17 Q. Were the pickups on those pumps
18 located right at the back, the last transom?

19 A. Yes.

20 Q. And if I recall the pictures that I
21 have seen of this in the lazarette there was,
22 the deck didn't quite go all the way back, there
23 was a space between where it stopped?

24 A. And the actual transom.

25 Q. And the transom where it went down

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1 stroke.

2 Q. Where was the fuel for that
3 carried?

4 A. That was kept on the boat deck
5 right by the tender. And there wouldn't have
6 been -- nothing was on the boat at the time
7 because we were in -- the tender was wrapped up,
8 shrink-wrapped in the front of the yard and
9 nothing was on the top deck because it was under
10 construction at the time also.

11 Q. Do you know if at anytime after Mr.
12 Smith took delivery of the boat whether there
13 were any flammable liquids stored down in the
14 lazarette?

15 A. We never stored flammable liquids
16 down there, no.

17 Q. You mentioned earlier that it would
18 get wet down there. Were the hatches on that,
19 the top deck on that lazarette area watertight?

20 A. No.

21 Q. Was that an area that while you
22 were at sea was low enough to be awash in any
23 kind of a sea?

24 A. It would take spray. There would
25 be water back there occasionally, depending on

1 three or four inches?

2 A. Yes, in that location, yes.

3 Q. And is that where the water would
4 build up?

5 A. Yes.

6 Q. Do you recall if there were ever
7 any times during the short period that you ran
8 this boat prior to the refit, whether there was
9 ever water in there that got up on to the, you
10 know, the main part of the deck in the
11 lazarette?

12 A. Well, any water that would go in
13 there would drain into that area. That is how
14 it was arranged.

15 Q. Were the pumps set up in such a way
16 that the floats that were there could never
17 really be a lot of water --

18 A. Correct.

19 Q. -- Get in there unless there was
20 some type of a catastrophe?

21 A. Correct, right. There was a high
22 water alarm in there also and that had never
23 gone off.

24 Q. Where was the high water alarm
25 located?

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1 A. Just above the regular float
2 switch, in that same area.
3 MR. FAMULARI: John, I have got
4 some pictures that we took recently and I
5 know that they are probably a little bit
6 different, but it may show what it looked
7 like back then just so we know we are
8 looking at the same thing.
9 MR. KALLEN: Whoa, whoa, whoa. For
10 the record, these are photographs taken of
11 the vessel in her present condition?
12 MR. FAMULARI: They were taken
13 about two weeks ago by Mr. Valdes.
14 MR. KALLEN: Okay, so you want --
15 MR. FAMULARI: You know, I just
16 want to confirm that the area back there
17 where the last transom was was basically
18 like that.
19 THE WITNESS: The bilge pumps are
20 in the exact, they are in the same location
21 as they were when it happened and everything
22 that you see on there other than these posts
23 that were put in there, that is to hold the
24 spare props. Everything else looks exactly
25 the same as it did prior to the explosion.

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1 Other than these deck hatches were added
2 when we did the, when we fixed from the
3 explosion.
4 BY MR. FAMULARI:
5 Q. Okay.
6 A. We went from having five hatches
7 back here to the two big hatches to allow easier
8 storage. And these hatches were watertight when
9 we put these back in.
10 Q. In this lazarette area, some people
11 call it the cockpit extension. Were there any
12 fuel lines running back there at all?
13 A. No.
14 Q. Were there any -- And this is prior
15 to the refit. Were there any hydraulic lines
16 running back there?
17 A. No.
18 Q. What about electric, any kind of
19 electrical lines, conduit?
20 A. There would -- This whole cockpit
21 was set up for fishing, so there were wires back
22 there to -- pumps and a lot of PVC pipe around
23 down there that used to go to the live bait
24 well, that sort of thing.
25 The cockpit was its own entity

1 added on to the boat. I mean, no -- nothing
2 went through to the other side of the boat other
3 than a sump tank discharge and that water system
4 back there only ran in the cockpit. It went
5 nowhere else on the boat at the time.
6 Q. The wires that came in, did they
7 run through conduit?
8 A. I would -- Yes, I would say that
9 they would have to.
10 Q. Do you recall where on the bulkhead
11 on the forward end of the lazarette they ran
12 through, you know, the top, the middle, the
13 bottom?
14 A. No, but there is pictures that you
15 would be able to see them. It would be on the
16 forward bulkhead.
17 MR. KALLEN: Whose pictures are
18 those?
19 MR. FAMULARI: I don't know, these
20 are the ones that --
21 THE WITNESS: Those would have been
22 the ones that Torch took on the digital
23 camera and printed them out.
24 MR. FAMULARI: Have we already put
25 these into evidence at some time or

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1 another?
2 MR. KALLEN: No, I don't think so.
3 (Discussion off the record.)
4 MR. FAMULARI: Back on the record.
5 Why don't we look at this one. The top of
6 it says SCS & Associates.
7 MR. KALLEN: That would be
8 Bradford's, the surveyor.
9 MR. FAMULARI: I think we got these
10 from Bradford. You should have a copy of
11 these.
12 MR. KALLEN: I think I have a copy
13 of the big ones, not these little ones.
14 MR. VALDES: We can get them copied
15 for you.
16 MR. KALLEN: What exhibit number
17 are we up to, David, do you know?
18 MR. WEBER: I don't.
19 MR. FAMULARI: We were expecting
20 you to keep track of us because we are all a
21 bunch of disorganized people down here.
22 MR. KALLEN: You know, I think I
23 know. If you give me a second I'll check.
24 MR. FAMULARI: Why don't you,
25 because we are doing the exhibits

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1 sequentially.
2 MR. KALLEN: So you don't want to
3 mark these other three that you showed him?
4 MR. VALDES: Yes.
5 MR. FAMULARI: Okay, why don't we
6 -- we'll mark these.
7 MR. KALLEN: All right, give me a
8 second.
9 MR. FAMULARI: David, we are not
10 really looking at anything that we haven't
11 already looked at.
12 (Discussion off the record.)
13 MR. FAMULARI: Back on the record.
14 MR. KALLEN: Last one I show is
15 Exhibit 20 from the deposition of Marlene
16 Ramirez. She was the last deponent, wasn't
17 she? So I suppose the last exhibit was 20,
18 so we are up to 21. 21 will be three photos
19 of new boat, so to speak?
20 MR. FAMULARI: Yes, or you could
21 say pictures taken in --
22 MR. KALLEN: January.
23 MR. FAMULARI: January of 2001.
24 MR. KALLEN: Okay. And you want
25 him to look at Exhibit 22.

1 A. Yes.
2 Q. Did you go through the boat with
3 him?
4 A. Yes.
5 Q. Did he have the boat surveyed prior
6 to --
7 A. Yes.
8 Q. Do you remember who the surveyor
9 was on that?
10 A. Patton I believe did it.
11 Q. Dave Patton?
12 A. Well, Patton.
13 Q. One of the Patton people?
14 A. I can't think of the guy's name.
15 MR. KALLEN: You have the survey
16 report. We provided that.
17 BY MR. FAMULARI:
18 Q. Yes. Did you review the survey
19 report at that time?
20 A. Yes.
21 Q. Was there a sea trail done on the
22 vessel at that time?
23 A. Yes.
24 Q. Did you go?
25 A. Yes.

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1 (Thereupon, the above-mentioned
2 photograph was marked as Exhibit No. 21 for
3 identification this date.)
4 BY MR. FAMULARI:
5 Q. Could you look at that picture
6 which was taken --
7 A. Right after.
8 Q. Yes, right after the explosion and
9 is that your recollection of what it looked like
10 back then?
11 A. What we are looking at here, these
12 are the float switches that turn on the bilge
13 pump and the next one up here is the high water
14 alarm.
15 MR. VALDES: Just for clarity, you
16 are talking about the top picture on Exhibit
17 22?
18 THE WITNESS: Correct.
19 (Thereupon, the above-mentioned
20 photograph was marked as Plaintiff's Exhibit No.
21 22 for identification this date.)
22 BY MR. FAMULARI:
23 Q. When Mr. Smith was thinking of
24 buying the boat at the Miami Boat Show were you
25 with him?

1 Q. Prior to the explosion in July of
2 1997 had you ever seen a set of the drawings of
3 the vessel?
4 A. Yes.
5 Q. Was there a set that was kept on
6 the vessel --
7 A. Yes.
8 Q. -- Itself?
9 A. Yes.
10 Q. Were they, were the drawings there
11 on the day of the explosion?
12 A. They would have been on board, yes.
13 Q. Do you recall if at anytime just
14 prior to or during the refit Bradford asking for
15 the plans or looking at any of the plans in
16 order to do some of the work?
17 A. No, I can't remember exactly, no,
18 if they looked. They were available if they
19 wanted. They were there.
20 Q. What about Bruce Adkinson, do you
21 recall if he looked at the plans or asked to see
22 the plans at anytime?
23 A. No, probably not, no. By this
24 point the boat had been totally ripped apart and
25 everybody pretty much seen how it was put

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1 together.
2 Q. Were there many sets of drawings on
3 the vessel or just --
4 A. No, many.
5 Q. Many sets?
6 A. Yes. Most of them were original.
7 That is a copy, obviously.
8 MR. KALLEN: Let's go off the
9 record.
10 (Discussion off the record.)
11 MR. KALLEN: We are back on the
12 record.
13 MR. VALDES: Yes, let's go back on
14 the record.
15 BY MR. FAMULARI:
16 Q. Prior to the explosion, Captain
17 Bredbeck, what was your understanding as to what
18 was underneath that aluminum deck on the floor
19 of the lazarette?
20 A. All I have known, all I knew at the
21 time is what they told me in the survey and the
22 guy that Mr. Smith bought the boat from that
23 that, that Palmer Johnson when they added the
24 extension of the cockpit poured cement into the
25 bilge to counteract the displacement.

1 A. That I can't recall. There was lot
2 of projects going on. It is hard to keep track
3 of them.
4 Q. One of the things that we are
5 having a little bit of a problem with here is
6 Bradford is, you know, has work orders and work
7 numbers for everything and we have some earlier
8 work orders that have already been put into
9 evidence with some of the Bradford people that
10 talks about Henry welding some things on the
11 mast and maybe something else, but there is --
12 there was no work order time sheet that deals
13 with his work in the lazarette that day, I
14 believe.
15 MR. KALLEN: Let me object to the
16 form.
17 MR. FAMULARI: Okay.
18 MR. KALLEN: To the extent that you
19 are representing what is in those invoices
20 and work orders.
21 BY MR. FAMULARI:
22 Q. And I just want to -- I am just
23 asking you if that day as far as you know Henry
24 was doing some work in the lazarette?
25 A. He would have been doing this

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1 Q. Did you know, you know, how high
2 the cement came in there?
3 A. No, I did not.
4 Q. Was there a void space or anything
5 like that?
6 A. No, I did not.
7 Q. Prior to the explosion on this
8 particular day did you have any conversations
9 with Henry Naranjo about welding on the back, in
10 the lazarette compartment?
11 A. I didn't understand you.
12 Q. Prior to the explosion, that
13 morning, that Monday morning, if it was indeed a
14 Monday, prior to the hot work being done down
15 there do you recall having any conversations
16 with Henry about what was underneath that
17 decking in the lazarette?
18 A. Not per se. I know I would have
19 told him that there was cement down there and he
20 asked about the two tanks back there and I said
21 those are water tanks and that was pretty much
22 the extent of it, as I recall.
23 Q. On the date of the accident was
24 Henry working in any other projects on the
25 vessel that you know of?

1 plate.
2 Q. Would that be something that you
3 would have asked him to do?
4 A. I would have said to -- we would
5 have had to get Tony Watson there to approve his
6 job and we would have said this is what we need
7 done.
8 Now, in the whole realm of things
9 until this thing blew up it was supposed to be a
10 ten minute job and nobody thought much about it
11 until this thing happened.
12 Q. Do you recall when you came on the
13 vessel that, the morning of the explosion
14 whether the hatches were off the top deck of
15 that lazarette?
16 A. They would have been off, yes.
17 Q. Do you recall whether anybody from
18 Bradford had put down a ventilator or a blower
19 back there prior to the work being done?
20 A. Henry had a blower that is also
21 visible in one of these pictures. I believe it
22 was black with a squirrel cage type.
23 And they had a fire watch posted in
24 the master's stateroom which would have been on
25 the other side of the bulkhead.

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1 Q. Do you happen to recall who the
2 fire watch was?
3 A. No, I do not.
4 Q. Do you know for a fact that they did
5 have a fire watch in there?
6 A. Actually, I can't even say it for a
7 fact, but they were very careful about having
8 fire watches on the other side of any bulkhead
9 when they were doing welding.
10 Q. Was that your experience in dealing
11 with Bradford, that they were careful about
12 that?
13 A. Yes.
14 Q. Okay, why don't we just take a look
15 at these two. John, those are some more of the
16 Bradford pictures, just to show the blower that
17 was in the lazarette.
18 MR. KALLEN: Okay.
19 BY MR. FAMULARI:
20 Q. Does that look like the blower
21 that --
22 A. That is the blower, right, yes.
23 (Thereupon, the above-mentioned
24 photos were marked as Plaintiff's Exhibit Nos.
25 23 and 24 for identification this date.)

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1 BY MR. FAMULARI:
2 Q. You mentioned you were in the
3 engine room when the explosion took place. What
4 did you do after the explosion?
5 A. Well, after the explosion and we
6 said what the hell happened, we went running to
7 the back of the boat at which time everybody was
8 kind of congregating around the cockpit and one
9 of my guys that worked for me on the boat, my
10 mate was, he was also a paramedic, jumped out on
11 the cockpit and was helping Henry crawl out of
12 the hole.
13 Q. What was his name?
14 A. Doug Pierce.
15 Q. Does he still work with you?
16 A. No. No, he is going back to school
17 to get a full fledge paramedic and some other
18 kind of rating in Texas.
19 Q. Is he local?
20 A. He is in Texas.
21 Q. Do you know how to get hold of him?
22 A. I do know how to get hold of him if
23 necessary, yes. I believe I gave you his
24 number; didn't I?
25 MR. KALLEN: No.

1 THE WITNESS: I can get that.
2 MR. KALLEN: If you did, I won't
3 tell you.
4 (Discussion off the record.)
5 MR. KALLEN: I will get it for you.
6 BY MR. FAMULARI:
7 Q. Who did you talk to after the
8 incident, anybody from the yard?
9 A. After the incident, after the
10 explosion?
11 Q. That day?
12 A. We talked to lots of people after
13 that happened and they had the fire department
14 was there, the police were there.
15 Bradford had their insurance
16 investigator on the spot within the hour and
17 then my boss' insurance company. What is this
18 guy's name, Bob Heakon (phonetic) showed up the
19 next day.
20 The whole area was taped off. No
21 one was allowed to go in and out until they did
22 their investigation, about two weeks worth.
23 They had metallurgist there, the whole
24 enchilada.
25 Q. Did you give any statements to

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1 anybody?
2 A. Did I give any statements to
3 anybody?
4 Q. In other words, did anybody ask you
5 for a statement that they either wrote down or
6 recorded?
7 A. A fire chief or a fire investigator
8 on the scene was the one that was asking me the
9 questions.
10 Q. Do you recall if he was a Broward
11 County person or a State of Florida?
12 A. I believe he would have been
13 Broward County. They came from Davie, the fire
14 department did.
15 Q. What about anybody else, if you
16 recall?
17 A. Bradford's insurance guy showed up
18 and he started asking questions. Not anyone
19 else that I can think of at this time.
20 Q. Did you speak with Mark Tortora
21 after?
22 A. Yes, Torch would have been there.
23 Q. Do you recall what you and Mr.
24 Tortora discussed?
25 A. No, I do not.

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1 Q. What about, do you know Peter
2 Rimmel?
3 A. Name sound familiar, but I --
4 Q. He is the marine chemist?
5 A. Oh, okay, that was the guy that
6 came, yes.
7 Q. Do you recall talking to him after
8 the explosion took place?
9 A. I think he was there like a day or
10 two afterwards, if I remember correctly.
11 Q. Do you recall having any
12 conversations with him?
13 A. Just explaining, you know, what
14 happened, telling him what happened. What I
15 kept down there, same scenario.
16 Q. There was some speculation in some
17 of the other depositions about a can of acetone
18 being on the deck the day before or several days
19 before that may have been spilled.
20 Is that anything that you are
21 familiar with?
22 A. There were cans of acetone and
23 reducer in the cockpit at the time of the
24 explosion. I mean, you can see in some of those
25 pictures there is cans of it sitting back

1 that uses the acetone and reducer.
2 BY MR. FAMULARI:
3 Q. Do you recall after the explosion
4 took place if you observed any cans of reducer
5 or acetone that you saw in the lazarette?
6 A. Yes, they were still present. I
7 took pictures of them, I believe. You might
8 have these.
9 Q. As far as you know were all of the
10 cans still intact?
11 A. As far as I can tell, yes.
12 Q. Was there any evidence that you saw
13 or, either before the explosion or after the
14 explosion that any of those cans had been
15 spilled?
16 A. They were both on their side after
17 the explosion. Whether they tipped before or
18 after, I cannot say.
19 Q. Do you know, was there still liquid
20 in them after the explosion?
21 A. Yes.
22 Q. Do you know if anybody checked to
23 see how much was in them or --
24 A. No.
25 Q. Do you have photos that you took

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1 there.
2 I believe there were reducers in a
3 green can, an All Grip product. Very
4 flammable. Acetone, they had acetone around all
5 the time because that is what they had to use to
6 clean up with to get the fill off them.
7 Q. When you say in the cockpit, you
8 are talking that extension that was put on the
9 boat?
10 A. Yes.
11 Q. Are you talking about --
12 A. It would have been on the wood,
13 wooden part of the deck here up on this area
14 which was all covered at the time, naturally,
15 with that blue, with this stuff that would be
16 over everything.
17 MR. KALLEN: Referring to above the
18 lazarette.
19 THE WITNESS: Above the lazarette,
20 yes.
21 MR. VALDES: Not below.
22 THE WITNESS: To the best of my
23 knowledge there was no acetone or anything
24 down in the lazarette area.
25 The paint, fairing crew was the one

1 after the explosion?
2 A. Yes.
3 Q. Does Mr. Kallen have them?
4 MR. KALLEN: I have them.
5 THE WITNESS: I do not have them.
6 He has them.
7 BY MR. FAMULARI:
8 Q. Okay, thank you.
9 MR. VALDES: Can we see them.
10 MR. KALLEN: Yes.
11 MR. VALDES: Now?
12 MR. KALLEN: Sure.
13 BY MR. FAMULARI:
14 Q. Were you involved in any of the --
15 MR. KALLEN: Nothing that you
16 haven't seen before, Manny.
17 THE WITNESS: It looks a lot like
18 these.
19 MR. VALDES: I would like to see
20 them, though.
21 BY MR. FAMULARI:
22 Q. Were you involved in the plans to
23 rebuild that deck in the lazarette for use of,
24 lack of a better word?
25 MR. KALLEN: Let me object to the

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1 form. That --

2 MR. FAMULARI: That is not a good

3 word to use.

4 MR. KALLEN: Not a good question.

5 BY MR. FAMULARI:

6 Q. Were you involved in -- Let me ask

7 you this.

8 Do you know who made the plans or

9 the decisions on how to put the deck back in the

10 lazarette after the explosion?

11 A. After the explosion?

12 Q. Yes?

13 A. Yes, I did.

14 Q. You were involved in that?

15 A. Yes, I was.

16 Q. Who else did you discuss that with?

17 A. I would discuss it with Bradford,

18 whoever was doing the work. However they needed

19 to do it to get to it what I needed.

20 Q. Okay, and what was it that you

21 needed?

22 A. Well, the plan was obviously when

23 we put it back together to put all of new

24 framing in there above the cement and then I was

25 the one that requested them to use thicker

1 underneath the deck of the lazarette here that

2 was completely sealed up?

3 MR. KALLEN: Let me object to the

4 form. I am not sure that I understand that

5 question. I need to understand it.

6 BY MR. FAMULARI:

7 Q. Okay, have you ever --

8 MR. VALDES: Just for the record,

9 when he objects, unless he instructs you not

10 to answer, you have to answer the question.

11 MR. KALLEN: Yes. Well, I'm

12 instructing him not to answer that question

13 because unless I understand it.

14 MR. VALDES: You don't have a basis

15 to instruct this witness not answer a

16 question.

17 MR. KALLEN: Do you understand that

18 question?

19 THE WITNESS: I believe I do.

20 MR. KALLEN: You believe or do you

21 know?

22 THE WITNESS: I don't know, but --

23 MR. KALLEN: Okay.

24 THE WITNESS: I don't know, but if

25 you try again --

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1 aluminum that is screwed in, removable like what

2 you see now.

3 Q. Was there any discussion at that

4 time about taking the cement out of the vessel?

5 A. We consulted Tom Fexas Yacht

6 Design, the designer of the yacht, and they

7 suggested, no, that is the reason that it was

8 there in the first place, the boat needed it

9 because of adding additional displacement by

10 putting the cockpit on the back there.

11 Q. Was there any other ballast at all

12 on the vessel besides in the cockpit extension?

13 A. No.

14 Q. Have you ever worked on any other

15 aluminum vessels that had cement for ballast, if

16 you know?

17 A. No.

18 Q. Okay.

19 A. No, not to my knowledge, at least.

20 Q. Have you ever worked on any other

21 aluminum vessels that had ballast in them, to

22 your knowledge, other than fuel or water?

23 A. No.

24 Q. Have you ever worked on any other

25 vessels that had a compartment like what was

1 BY MR. FAMULARI:

2 Q. I want to get the information

3 straight so we don't have any confusion.

4 Have you ever been on any other

5 vessels that have had a compartment like was in

6 the lazarette of this where we had a deck and a

7 space underneath and it was completely sealed

8 with no vents, no --

9 A. No, I have never worked on a boat

10 that had a cockpit extension before.

11 Q. But the cockpit extension -- Okay,

12 but that wasn't the question.

13 Is it your understanding that the

14 floor of that lazarette area where it was welded

15 down was at least watertight from -- Strike

16 that.

17 Was it your understanding that the

18 -- was it your understanding that the area

19 below the lazarette deck here was watertight?

20 A. No. I would say -- You can look at

21 it and tell that it wasn't watertight.

22 Q. Why do you say that?

23 A. You could see, you can see in the

24 pictures that this, it's tack welded around the

25 edge and there was like a little crack running

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1 around.
 2 Q. This was before or after the
 3 explosion?
 4 A. Before.
 5 Q. Okay, so is it your testimony that
 6 the, that deck was not solid welded all along
 7 the --
 8 A. That is correct. You can see
 9 where --
 10 Q. Can you see --
 11 A. You see, that was a weld that
 12 ripped lose there and that was a weld that
 13 ripped lose there.
 14 I mean, any of these things here.
 15 This, you know, this was all -- this is how this
 16 looked along here. This is after it blew up.
 17 Q. After it blew up?
 18 A. There was tack welds right along
 19 the frame. You could obviously see. When you
 20 stood on it you could tell that it wasn't made
 21 to be anything structural, it was just adding a
 22 subfloor to the cockpit basically there.
 23 Q. Well, if it is -- Let's say
 24 hypothetically that it was not solid welded
 25 along those edges along the forward and aft

1 when you would walk around in that, on that
 2 lazarette floor would the aluminum --
 3 A. Basically like crinkled.
 4 Q. Crinkled?
 5 A. Yes, it was like walking around on
 6 like a pop can or something like that. You
 7 could tell it was very thin and you could tell
 8 it wasn't solid and it echoed when you jumped on
 9 it.
 10 Q. Prior to the explosion based upon
 11 what you have, what you just said about the echo
 12 and the, it would crinkle when you would walk,
 13 did you have any opinion on whether there was a
 14 void space under there at all prior to the
 15 explosion?
 16 A. I had no opinion other than you
 17 could tell that it wasn't solid when you stepped
 18 on it. So there was --
 19 Q. Since the explosion in July of 1997
 20 do you have any knowledge or opinions on what
 21 exploded under there?
 22 A. No.
 23 Q. From your observations of what the
 24 deck looked like after the explosion was it your
 25 opinion that the explosion took place under that

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1 bulkhead and the port and starboard bulkheads.
 2 Do you know if any water ever got
 3 in underneath there?
 4 A. I wouldn't know.
 5 Q. During the time that you had the
 6 boat did you ever see any evidence that there
 7 was water getting under there?
 8 A. Not under there. No, I wouldn't be
 9 able to tell that.
 10 Q. After the explosion when that deck
 11 was taken up did you see any evidence that there
 12 was water getting in there?
 13 A. Well, there was two feet of water
 14 in the back of there when we blew out the
 15 through hull and we were sinking at the time
 16 that this was going on also.
 17 Q. That answers that question.
 18 A. I am the one that jumped down and
 19 found the through hull and pounded a wooden plug
 20 into the hole.
 21 We had to bring a gasoline pump in
 22 from Bradford to suck the water out because we
 23 had no batteries on board to run our own bilge
 24 pumps.
 25 Q. This is prior to the explosion,

1 plate?
 2 A. Oh, yes, you blew the whole -- you
 3 can see in all of the pictures where it blew
 4 up. The whole thing came up towards the cockpit
 5 floor and you can see in some of these pictures,
 6 if these pumps, this pump right here was sitting
 7 underneath the main support beam for the aft
 8 deck, that is what kept the whole floor from
 9 coming up and -- That is it.
 10 These things, that right there. It
 11 bent a four inch I-beam, you can see where it
 12 cracked it loose from here. This is the main
 13 support beam for the aft deck and it shoved it
 14 up about four inches.
 15 MR. KALLEN: Referring to a
 16 photograph which is now marked as Exhibit
 17 25.
 18 MR. VALDES: 25.
 19 (Thereupon, the above-mentioned
 20 photograph was marked as Plaintiff's Exhibit No.
 21 25 for identification this date.)
 22 MR. VALDES: Can we take a break a
 23 second and you can get me those pictures?
 24 MR. FAMULARI: Yes, I may not have
 25 too much more to ask. If you want to take a

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1 look at those pictures and see if there is
 2 anything else that we want to ask.
 3 (Thereupon, a short recess was
 4 taken.)
 5 BY MR. FAMULARI:
 6 Q. Back on the record. Captain
 7 Bredbeck, your attorney handed me a stack of
 8 photographs. Could you tell me if you recognize
 9 those?
 10 A. Yes, I do.
 11 Q. And did you take those photographs?
 12 A. Yes, I did.
 13 Q. And when did you take them?
 14 A. They would have been taken right
 15 after the explosion.
 16 Q. And what are they photographs of?
 17 A. This is the destruction that took
 18 place during the explosion.
 19 Q. I believe there were 23 photographs
 20 there?
 21 MR. KALLEN: And just so we are
 22 clear, I grabbed them off my desk so I'll
 23 double-check my desk to make sure that there
 24 is not one or two others laying loose,
 25 but --

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1 MR. FAMULARI: You took the ones
 2 that with the dynamite that was on the edge.
 3 MR. KALLEN: Yes, yes.
 4 BY MR. FAMULARI:
 5 Q. We would like to attach these as --
 6 do you want to do them as a composite?
 7 MR. KALLEN: Yes, composite Exhibit
 8 26, yes.
 9 MR. FAMULARI: Yes, composite of
 10 Captain Bredbeck's photos, okay.
 11 (Thereupon, the above-mentioned
 12 photographs were marked as Plaintiff's
 13 Composite Exhibit No. 26 for identification this
 14 date.)
 15 MR. FAMULARI: Off the record for a
 16 second.
 17 (Discussion off the record.)
 18 BY MR. FAMULARI:
 19 Q. Captain Bredbeck, I am going to
 20 show you a drawing of what purports to be the
 21 vessel that I think that your attorney sent us.
 22 I am sorry, Mr. Smith's attorney sent us.
 23 MR. KALLEN: Oh, okay.
 24 BY MR. FAMULARI:
 25 Q. Yes. Do you know if this

1 particular drawing was on the vessel prior to
 2 the explosion?
 3 A. I couldn't say. They were supposed
 4 to have the full package of blueprints to the
 5 vessel and most of them were there.
 6 CONTINUED DIRECT EXAMINATION
 7 BY MR. VALDES:
 8 Q. Did you ever see this plan before
 9 the explosion?
 10 A. I can't say that, if I looked at
 11 it, this particular plan, no.
 12 Q. Had you looked at all of the other
 13 plans?
 14 A. Not all of them, no.
 15 Q. Where were they kept?
 16 A. They were kept in the main salon
 17 and like a, what you would call one of those
 18 legal folders.
 19 Q. How many were in there?
 20 A. Oh, fifty to one hundred, I would
 21 imagine. These are the construction drawings
 22 for the whole entire boat.
 23 Q. And those were on board, right?
 24 A. Yes.
 25 Q. So you would assume that this one

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1 was in there, too?
 2 A. I would assume, yes.
 3 Q. But you had never seen this one
 4 before?
 5 A. I can't say if I did or didn't.
 6 Q. You don't remember?
 7 A. Four years ago, I don't remember
 8 looking at --
 9 Q. And these plans were available when
 10 they were doing work on the boat?
 11 A. Yes, everything was always
 12 available if they wanted to look at it. Most of
 13 the time, like I said, nobody did because, like
 14 I said, these would have been fifteen years old
 15 at the time and boats get changed all the time.
 16 And when you do a change you don't necessarily
 17 do a drawing.
 18 Q. Do you know how to read these
 19 plans?
 20 A. More or less. This is weld and
 21 stuff. I don't understand this. This is
 22 construction drawings.
 23 I know more about this stuff now
 24 because I am in the process of building a brand
 25 new boat and I am more involved in the plans

1 everyday.
 2 At this time I wasn't. I would say
 3 here you go, here is your drawing, if you want
 4 to look at it, go ahead.
 5 Q. If you look at this plan, and I
 6 guess we'll mark it as Exhibit 27 so we know
 7 what we are talking about --
 8 (Thereupon, the above-mentioned
 9 drawing was marked as Exhibit No. 27 for
 10 identification this date.)
 11 BY MR. VALDES:
 12 Q. If you look at the lower left-hand
 13 corner it shows a side view of the cockpit
 14 extension?
 15 A. Yes.
 16 Q. Is that correct?
 17 A. Yes.
 18 Q. You can understand what you're
 19 looking at there, right?
 20 A. Yes.
 21 Q. In fact, it has even got ballast?
 22 A. Yes, the ballast.
 23 Q. The deck?
 24 A. I would assume that was cement,
 25 correct.

1 Q. And the deck above it?
 2 A. Correct.
 3 Q. Do you see the deck?
 4 A. I do. This would be the deck, so
 5 this would be a void area there. It looks like.
 6 Q. Okay.
 7 A. You can look at it over here also.
 8 Q. That is on the right-hand side of
 9 this drawing that is marked as Exhibit No. 27?
 10 A. That is looking forward.
 11 Q. And that would be, looks like a
 12 side cut of the rear portion of the transom?
 13 A. Yes, it would be -- looks like
 14 looking forward.
 15 Q. And it shows the ballast and the
 16 decking?
 17 A. Yes.
 18 Q. Okay, do you remember telling Mr.
 19 Naranjo that the cement and the deck were flush?
 20 A. No, I do not.
 21 MR. KALLEN: Object to the form.
 22 BY MR. VALDES:
 23 Q. You don't remember telling him
 24 that?
 25 A. No. I doubt if I would have said

1 that because, like I said, when you stepped on
 2 to this deck you could tell that it was not
 3 solid. You could tell that -- How big the gap
 4 was I couldn't tell you, but you could tell that
 5 it definitely was not stepping down on to
 6 cement.
 7 Q. Did you physically help in the
 8 removal of the deck after the explosion, the
 9 work that Tony Watson did?
 10 A. I wouldn't be involved in the work
 11 of it, no.
 12 Q. So you didn't have anything to do
 13 with the ripping out of the floor that buckled
 14 upward?
 15 A. No, no.
 16 Q. Okay, and that would have been
 17 something that Tony Watson did?
 18 A. That would have been handled by
 19 Bradford. They did the total reconstruction of
 20 the deck also.
 21 Q. And if he testified, Tony Watson
 22 testified that this deck was seam welded
 23 completely around, is he correct?
 24 A. I would say no. You could see in
 25 these pictures that it wasn't.

1 Q. Those pictures were taken after the
 2 explosion and the deck was blown upward,
 3 correct?
 4 A. Correct.
 5 Q. Okay, what I am asking you is --
 6 A. You see, you can see where the tack
 7 welds were done, only in three inch sections all
 8 the way around and you can see that running
 9 around the edge.
 10 Q. Well, the tech welds that you are
 11 showing me on this photograph that you took are
 12 in the middle of the picture, but they're not
 13 around the edge of the picture or around the
 14 perimeter of the aluminum deck which is what we
 15 are talking about.
 16 A. There is one right there. You can
 17 see it in a few other ones, these too. Here,
 18 this one shows you very well. Boom, boom,
 19 boom. You can see right where that is, where
 20 that was welded down.
 21 If it was one continuous thing you
 22 would be able to see the bead all the way
 23 across. Same thing in this picture.
 24 Q. So if there is a picture that shows
 25 a complete bead or line, that would be

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1 indicative that that is a seam weld, correct?
 2 MR. KALLEN: Object to the form.
 3 BY MR. VALDES:
 4 Q. Captain?
 5 A. A seam weld?
 6 Q. You do know what a seam weld is,
 7 correct?
 8 A. No, I do not.
 9 Q. If there are photos showing that
 10 the deck, the aluminum deck which blew up had
 11 been welded completely around, would you agree
 12 that that is what the photos purport to show?
 13 A. If someone could say that that is
 14 how it looked, I wouldn't know what a blown up
 15 seam would look like.
 16 To me it looks like this thing was
 17 tack welded because I can see where there was --
 18 Q. You think that it was tack welded?
 19 A. To my knowledge I would say that it
 20 was tack welded.
 21 Q. But if there are photographs that
 22 show that it was seam welded, then you would
 23 retract your statement that it wasn't seam
 24 welded?
 25 MR. KALLEN: Object to the form.

1 as I got the final --
 2 Q. Did you request any work to be done
 3 on any work orders?
 4 A. What do you mean by that?
 5 Q. Did you ever come in and say I want
 6 this done this way and it would be reflected in
 7 a work order as per the captain's instructions?
 8 A. As per the captain's instructions I
 9 would say, yes, I need this welded here or that
 10 welded there.
 11 Mainly it was somebody else needing
 12 that done. I am the one that had to tell the
 13 yard to do it because I was a representative for
 14 the boat.
 15 Q. Okay, and when this explosion took
 16 place you were employed by Stephen Byrons Smith,
 17 is that correct?
 18 A. Yes.
 19 Q. And you were his captain on board
 20 the vessel?
 21 A. Yes.
 22 Q. Okay, did you have any other crew
 23 living on board the vessel?
 24 A. No.
 25 Q. Pierce was not living with you?

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1 BY MR. VALDES:
 2 Q. You have to answer the question?
 3 A. I would stand corrected, yes.
 4 Q. Was it you that instructed Henry to
 5 weld the plate down in the lazarette, the
 6 doubler plate so they could put in the pump, the
 7 hydraulic pump?
 8 A. I would have talked to Tony Watson
 9 and we would have said this is what we need to
 10 have done because like anything else at Bradford
 11 it has to have a work order associated with it.
 12 Q. Okay, was there anytime while you
 13 were at Bradford that they were going to do
 14 something that you didn't want them to do in a
 15 certain way and you told them don't do it that
 16 way?
 17 A. No.
 18 Q. You could never overrule any of the
 19 people at Bradford, is that what you're saying?
 20 A. Not for how they, how they wanted
 21 to do things, no.
 22 Q. Or what you wanted done?
 23 A. I would ask for what I wanted done
 24 and what I needed to have done and they would do
 25 it the way that they wanted to do it. As long

1 A. No.
 2 Q. Was there any other crew on board,
 3 any other crew member?
 4 A. No.
 5 Q. There was only the captain and a
 6 mate --
 7 A. Yes.
 8 Q. -- At the time of the explosion?
 9 A. Yes. And like I said, normally I
 10 didn't even employ Mr. Pierce as a full-time
 11 mate. It was just for during the refit.
 12 Because he lived in Fort Lauderdale full time
 13 and we traveled with the boat.
 14 Q. Okay, did it concern you any that
 15 the lazarette aluminum deck, we are talking
 16 about the lower portion, couldn't be vented?
 17 A. It didn't concern me. I, I have no
 18 reason to be concerned about it.
 19 Q. Okay, but as a captain on board a
 20 vessel and you do know, you hold a license for a
 21 two hundred ton craft, correct?
 22 A. Correct.
 23 Q. You are familiar that boats need to
 24 be vented so that gases don't build up in void
 25 spaces, is that correct?

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1 MR. KALLEN: Object to the form.
 2 You can answer.
 3 THE WITNESS: Normally, yes, you
 4 vent areas so you don't --
 5 BY MR. VALDES:
 6 Q. Right, and the reason that you vent
 7 them is because you don't want gases to build up
 8 and if you turn on an engine or turn over the
 9 engine it can cause a spark and cause an
 10 explosion, correct?
 11 A. Well, that is in a gasoline boat.
 12 This is a diesel.
 13 Q. Same principle?
 14 A. You don't have that explosive
 15 factor.
 16 Q. But the reason that you would want
 17 to vent a void space is so that you don't have
 18 the build up of gases, correct?
 19 MR. KALLEN: Object to the form.
 20 BY MR. VALDES:
 21 Q. You can answer. You have to
 22 answer?
 23 A. Well, yes.
 24 Q. And you know that, correct, as a
 25 captain?

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1 A. Yes.
 2 Q. You have to answer out loud?
 3 A. Yes.
 4 Q. And you knew before the explosion,
 5 correct?
 6 A. Yes.
 7 Q. And you know that as you are
 8 sitting here today?
 9 A. Yes.
 10 Q. Because in your experience as a
 11 seagoing seaman, right, or captain?
 12 A. Whatever, yes.
 13 Q. Sailor?
 14 A. Yes.
 15 Q. You were in the Navy. How long
 16 were you in the Navy?
 17 A. Three and a half years.
 18 Q. What did they teach you in the
 19 Navy, what specialty did they train you for?
 20 A. I was a bosun's mate.
 21 Q. Okay. How long were you --
 22 A. We loaded -- I was on a submarine
 23 tender taking care of nuclear submarines.
 24 Q. Did you ever serve on board a
 25 submarine?

1 A. No, thank God.
 2 Q. When you served in the Navy the
 3 void spaces on board those vessels had means to
 4 vent them, did they not?
 5 A. I am sure. I couldn't say whether,
 6 if I was familiar with any void areas on ships.
 7 I was on deck crew.
 8 Q. Okay, when Mr. Smith purchased the,
 9 this yacht and it's called the SOUVENIR,
 10 correct?
 11 A. When he owned it, yes.
 12 Q. That is a million dollar yacht; is
 13 that correct?
 14 A. They are all worth whatever someone
 15 will pay for them.
 16 Q. Mr. Smith paid --
 17 A. Paid I believe 1.3 million dollars
 18 to buy this boat used.
 19 Q. And then he put another three or
 20 four hundred thousand in repairs, correct?
 21 A. A little more than that, actually.
 22 Q. So we are talking over a million
 23 and a half dollar yacht?
 24 A. I would imagine, yes.
 25 Q. And when he was going to purchase

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1 this boat you and he and the former owner and
 2 his captain met the surveyor and that is Patton
 3 Marine?
 4 A. Yes, correct.
 5 Q. And you were aboard for two days
 6 conducting see trials?
 7 A. Yes.
 8 Q. Is that correct?
 9 A. Correct.
 10 Q. And you inspected the boat?
 11 A. Correct.
 12 Q. And you had every opportunity to
 13 look the boat over, up and down in all the nooks
 14 and crannies and look at all of the problems?
 15 A. Correct.
 16 Q. And he issued, Mr. Patton issued a
 17 report, is that correct?
 18 A. Yes.
 19 Q. Or Patton Marine issued a report?
 20 A. Yes.
 21 Q. And did you read that report before
 22 they took delivery of the vessel?
 23 A. Yes, we did.
 24 Q. And are you familiar with it?
 25 A. Well, it is, you know, four years

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1 ago, but --

2 Q. I am going to hand you a copy of

3 the Patton Marine surveyor's report and ask you

4 if you have ever seen that document before and

5 we'll mark it as composite Exhibit 28.

6 A. Yes, I have seen this before. This

7 was on board the vessel the whole time also.

8 (Thereupon, the above-mentioned

9 document was marked as Composite Exhibit No. 28

10 for identification this date.)

11 BY MR. VALDES:

12 Q. The surveyor's report that we have

13 marked as Exhibit 28 was on board the vessel?

14 A. Yes, it was.

15 Q. And you knew that it was on board

16 the vessel?

17 A. Yes.

18 Q. And where was it kept?

19 A. It was kept in the file cabinet in

20 the pilothouse.

21 Q. With the blueprints or near the

22 blueprints?

23 A. Near the blueprints, yes.

24 Q. You have been captain of how many

25 yachts before this explosion? Can you count

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1 them up?

2 A. Well, that I worked on board or

3 captained?

4 Q. Yes?

5 A. Which would you like?

6 Q. Both?

7 A. Worked on board many. I was

8 captain of three boats.

9 Q. Prior to the explosion?

10 A. Yes.

11 Q. And in all of that time how many

12 years would you say?

13 A. Ten years.

14 Q. In all of that time did you ever

15 have, did you ever serve on board a vessel or

16 captain a vessel that had an area with a void

17 space that could not be vented?

18 A. I already answered that, no. Not

19 that I am aware of, no.

20 Q. You said that you are helping your

21 boss now construct another yacht?

22 A. Correct.

23 Q. Are you overseeing that work?

24 A. Yes, I am.

25 Q. Is that up in Vancouver?

1 A. Yes.

2 Q. What type of yacht is that?

3 A. That is an 87 foot motor yacht,

4 fiberglass construction, fiberglass core

5 construction.

6 Q. Does it have any ballast?

7 A. Just fuel and water.

8 Q. No cement, no lead?

9 A. No, no cement, no lead.

10 Q. Do you know if this vessel had been

11 gas freed prior to the explosion?

12 A. The whole vessel was gas freed.

13 There was no fuel on board. There were

14 certificates on file for all of those -- Henry

15 had, as a matter of fact, had welded almost all

16 of the fuel tanks on the boat where the leaky

17 fuel was and he had fixed those.

18 Q. This looks like a very poor quality

19 copy, but I am going to hand it to you and ask

20 you. I will hand it to your attorney.

21 MR. FAMULARI: That has already

22 been marked.

23 BY MR. VALDES:

24 Q. I will ask him. Take a look at

25 that, sir, and we'll mark that as Exhibit 29.

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1 Have you ever seen that document before?

2 MR. FAMULARI: That has already

3 been marked.

4 THE WITNESS: Exhibit A.

5 MR. FAMULARI: Is that the gas

6 free?

7 MR. VALDES: No.

8 MR. FAMULARI: I am sorry.

9 THE WITNESS: That is a standard

10 Bradford Marine document.

11 (Thereupon, the above-mentioned

12 document was marked as Exhibit No. 29 for

13 identification this date.)

14 BY MR. VALDES:

15 Q. Is that your signature at the

16 bottom?

17 A. Yes.

18 Q. As an authorized representative of

19 vessel and/or owner?

20 A. Yes.

21 Q. And it's dated 4-7-97?

22 A. Yes, that would have been when we

23 pulled into Bradford. You have to fill one of

24 those -- every boat that pulls into Bradford has

25 to fill out one of those upon arrival.

1 Q. And did you fill this out? Is this
2 in your handwriting up top?
3 A. Yes, it is.
4 Q. And is all of the writing, the
5 handwriting and the signature your writing on
6 this document, Exhibit 29?
7 A. Well, other than 2847 on the top
8 and Exhibit A on the bottom I would say yes, it
9 is. It's my handwriting.
10 Q. Before this explosion did you have
11 the opportunity to observe Henry Naranjo
12 working?
13 A. Yes.
14 Q. How would you characterize the
15 quality of his work?
16 A. Well, I stated that earlier, that I
17 asked for him to work on my vessel if at all
18 possible because he did fine work and he was
19 always there. You know, some of them didn't
20 always show up everyday, and Henry was there
21 ever day and he was always cheerful and always
22 liked to do his job and when it was done he
23 asked for another one.
24 Q. Did you ever have any problems with
25 Henry before the explosion?

1 water tanks.
2 Q. Did he ask you what was underneath
3 the deck?
4 A. Well, I told him there was cement
5 underneath there because I knew that they had
6 poured cement in there. I didn't know how big a
7 gap there was in there.
8 Q. Okay, and the responses that you
9 are giving me to my questions, these are
10 generalizations? You don't remember the exact
11 context, the exact words that were used?
12 A. Four years ago almost now.
13 Q. Correct?
14 A. Correct. No, I don't. I just --
15 Q. You are just giving me the gist of
16 what was said; is that correct?
17 A. Correct.
18 MR. VALDES: That is all that I
19 have.
20 MR. FAMULARI: Mr. Weber might have
21 some questions.
22 MR. VALDES: Do you have any
23 questions?
24 MR. WEBER: Yes, I do.
25 MR. VALDES: Go ahead.

1 A. I never had any problems with Henry
2 before the explosion.
3 Q. Did he always do what you asked him
4 to do?
5 A. He would always do what Tony
6 instructed him to do above and beyond what I
7 expected out of him, yes.
8 Q. Did you have any trouble
9 communicating with him?
10 A. No.
11 Q. You understood him and he
12 understood you?
13 A. As far as I know I could understand
14 him and I believe that he understood me.
15 Q. Okay, do you speak any Spanish?
16 A. I do not, no.
17 Q. Do you remember what was the extent
18 of your conversation with him the day of the
19 explosion?
20 A. Not word for word, no. I would
21 imagine it was something to do with these guys
22 need that plate down there, make it happen.
23 Q. Do you remember what he asked you?
24 A. All he ever asked me about were the
25 two tanks on each side and I said they were

1 CROSS-EXAMINATION
2 BY MR. WEBER:
3 Q. Captain, my name is David Weber and
4 I represent Palmer Johnson. Do you understand
5 that?
6 A. Well, I understand. I don't
7 understand why you have to be here, but --
8 Q. Okay, the record will reflect that
9 I am up here in Wisconsin and you are down there
10 in Florida and we are conducting -- at least I
11 am asking these questions over the telephone and
12 if you don't understand any questions that I ask
13 of you or for some reason my questions don't
14 come over the phone properly, please let me
15 know; all right?
16 A. Okay.
17 Q. Do I understand, sir, that you were
18 on vacation for several days prior to the
19 explosion occurring?
20 A. Yes, I was.
21 Q. And that you returned the day
22 before the explosion?
23 A. Yes.
24 Q. And you believe the explosion
25 occurred on a Monday; is that correct?

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1 A. I would believe so. I can't
2 remember. I believe my vacation was from
3 Saturday to Sunday. So I believe I was, it was
4 a Sunday. July -- I returned on July the 6th
5 whatever, day that was. And the next day was a
6 workday.
7 Q. And where would you stay while this
8 boat was being worked on at Bradford Marine?
9 A. Well, I was staying at Marina Bay
10 which is a place just down the road from
11 Bradford while it was out of the water and when
12 I returned from my vacation the boat was back in
13 the water and I planned to stay in the crew's
14 quarters on board the vessel because it was in
15 the water and we had no battery power for bilge
16 pumps, so I was the only person on board to keep
17 us afloat, so to speak.
18 Q. Did you stay on board the vessel
19 the night of July the 6th?
20 A. Yes, I did.
21 Q. And the next day, July the 7th, do
22 you know what time you got up in the morning?
23 A. I would have been up six-thirty
24 seven o'clock, just like always. Boat yard
25 starts at seven, seven-thirty.

1 to? No.
2 Q. I am talking about the first people
3 that you talked to during that day?
4 A. I can't remember exactly who it
5 would have been.
6 Q. I am trying to get some gist of, as
7 the how that day proceeded. Do you know what
8 were you attending to on July the 7th of 1997?
9 A. I was attending to a total refit of
10 an 82 foot Palmer Johnson.
11 Q. I understand that, but what jobs
12 were you --
13 A. We had just replaced the engine and
14 generators. We did the whole top deck,
15 hydraulic arch, replaced all of the windows and
16 we were in the middle of a full paint job from
17 top to bottom.
18 I can't exactly tell you which
19 crisis I was dealing with at that moment, no.
20 Q. All right, so you have no
21 recollection any more as to what was foremost on
22 your mind on the morning of July the 7th of
23 1997?
24 A. Getting out of Florida while I
25 still could was pretty much what I wanted to

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1 Q. And you anticipated my next
2 question. Do you remember when work began on
3 July the 7th?
4 A. I believe work at Bradford starts
5 at seven-thirty in the morning and quits at four
6 in the afternoon.
7 Q. And was it your plan to stay aboard
8 the vessel the entire day?
9 A. Well, I am there during work hours
10 everyday, yes.
11 Q. I am specifically speaking about
12 July the 7th of 1997 now.
13 Did you in fact stay on the vessel
14 until the time of the explosion?
15 A. I was on board at the time of the
16 explosion. I can't tell you if I was there the
17 entire day prior to that because I did have to
18 run errands just back in town, get things set up
19 for the rest of the week.
20 Q. All right, so you do remember
21 running some errands on July the 7th of 1997?
22 A. Yes, I do.
23 Q. Do you remember the first people
24 that you talked to on July the 7th of 1997?
25 A. The first people that I talked

1 do. It was hot, very hot.
2 Q. Do I understand that this Bruce
3 Adkinson worked for another company?
4 A. I believe he was the owner of the
5 company that he worked for.
6 Q. Tell me again what the name of that
7 company was?
8 A. I can't exactly. It was a weird --
9 It was like Kewanee or something like that.
10 Q. And they were in the business of
11 what?
12 A. He is a hydraulics -- he does a lot
13 of hydraulics or he did a lot of hydraulic work
14 in Bradford during that time.
15 Q. And do I understand that Mr.
16 Adkinson was on board the vessel on July the 7th
17 of 1997?
18 A. I am not sure if he was there, but
19 I know his personnel was working for him, Brian
20 Mink was on board that day.
21 Q. Do you know what Brian's job was at
22 this particular company?
23 A. He was doing installation work of
24 hydraulic systems.
25 Q. Were there any other employees of

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1 this particular company on board, to your
2 knowledge?
3 A. No.
4 Q. And had Mr. Smith hired this
5 company, that is Bruce Adkinson's company?
6 A. Well, he is a subcontractor. He
7 would have gone through Bradford Marine, I
8 believe.
9 Q. Okay. So you believe that Bruce
10 Adkinson's company, whatever its name is,
11 Kewance something or other --
12 A. Correct.
13 Q. Were a subcontractor of Bradford
14 Marine?
15 A. Yes.
16 Q. And do you know who at Bradford
17 Marine hired this particular company?
18 A. Well, now, that I don't know that
19 one. Most of the time you could hire your
20 subcontractors and then Bradford would tack on
21 their percentage to the bill.
22 So I would say that I hired Bruce
23 Adkinson myself and then they have, Bradford has
24 their own setup of how they deal with outside
25 contractors.

1 was suggested that he was in the yard, did a lot
2 of work in Bradford at that time and he came
3 over and looked at the job and I believe that
4 they had Bradford's guys look at the job and
5 there was also a time factor involved in --
6 Bradford is a little bit slower than most
7 outside contractors and we decided to go with
8 Mr. Adkinson.
9 Q. All right, and --
10 A. Or Adkins.
11 Q. And you hired -- is this Adkinson
12 or Adkins?
13 A. I believe it's Adkins.
14 Q. So you decided to hire Bruce
15 Adkins; is that correct?
16 A. Correct.
17 Q. And that was your decision?
18 A. Yes.
19 Q. And do I understand that you had to
20 give some sort of consideration or compensation
21 to Bradford to do that?
22 A. On -- I can't remember on this
23 particular job, but in most of their -- You have
24 a guard at the gate and to get in through the
25 gate you have to talk to George at the front

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1 Q. All right, so it is your best
2 recollection sitting here today that you
3 probably hired Bruce Adkinson?
4 A. Correct.
5 Q. Why was it necessary for you to
6 hire Bruce Adkinson?
7 A. Well, he came highly recommended as
8 a hydraulics man.
9 Q. I know, but forgive me, I am just
10 trying to understand this process. You have a
11 total refit, a major refit going on with this
12 particular boat.
13 At some point in time did it become
14 apparent to you or did somebody tell you from
15 Bradford that they wouldn't be able to handle
16 that themselves? By that I mean the hydraulic,
17 installing the hydraulic pump?
18 A. At the time in 1997 Bradford did
19 not have hydraulics people that seemed to be
20 doing what we needed done.
21 Q. All right, do you remember the
22 discussions leading up to the decision to hire
23 somebody from the outside, as it were?
24 A. Not particularly. I can't remember
25 the, any discussions. All I know is that it

1 gate and you have to have insurance papers on
2 file with them stating that you are capable, a
3 capable bonded and all of that other stuff in
4 South Florida to perform the work and then at
5 which time that is on file with Bradford and
6 then they generally ask for your bill and then
7 they tack your fifteen or twenty percent on to
8 the bill.
9 That is standard operating
10 procedure. I can't tell you if it happened in
11 this particular incident or not.
12 Q. What was your understanding as to
13 how long Bruce Adkins or his company would take
14 to complete the job that they had to do?
15 A. I would say -- I can't remember him
16 telling me exactly. All I know is these pumps
17 were back ordered for quite a while before they
18 got there.
19 Q. And they were there on the day of
20 the accident, correct?
21 A. They were there. They were the
22 only thing that probably saved Henry. If you
23 have seen these pictures you can see what
24 happened. I don't know if you have seen these
25 pictures or not.

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1 Q. Yes, I have seen them.
 2 A. Well, the pumps were right
 3 underneath the main support beam for the aft
 4 deck and that is what kept the whole floor from
 5 lifting up.
 6 Q. I understand that. How long had
 7 the pumps been there before the day of the
 8 accident?
 9 A. They got there that day.
 10 Q. Do you know what time?
 11 A. They would have came at probably
 12 eight o'clock in the morning. Brian brought
 13 them with him. They arrived.
 14 I received information that they
 15 had finally showed up and Brian was on his way
 16 over with them.
 17 Q. And I take it that somebody brought
 18 them down into the lazarette area?
 19 A. Yeah, somebody had to. I don't
 20 know who carried the pumps in. I would imagine
 21 Brian or one of those guys, Bruce.
 22 Q. Well, do you know if Bruce was
 23 there on the day of the accident?
 24 A. Like I said, I did not know if he
 25 was there or not.

1 what are we going to do now.
 2 Q. How many holes had they drilled?
 3 A. I am guessing about four in the
 4 same pattern as the holes would have been for
 5 the pump.
 6 Q. And how big were those holes in
 7 diameter?
 8 A. I did not drill the holes. I don't
 9 know what size he used for a starter bit. I
 10 doubt if -- I don't know the exact size of the
 11 hole.
 12 Q. All right, but can you tell me,
 13 sir, whether you observed four holes in the
 14 aluminum deck?
 15 A. To the best of my recollection I
 16 would say I saw holes there, yes.
 17 Q. And that, you saw four holes there?
 18 A. I saw holes that they had started
 19 to drill into the floor.
 20 Q. All right. When you say that they
 21 had started to drill into the floor, did they
 22 penetrate the aluminum deck?
 23 A. Yes. That is how they figured out
 24 it was too thin to tap. That is when they had
 25 to make the plate.

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1 Q. All right. Now, do you remember
 2 having discussions with Brian Mink on the day of
 3 the accident prior to the accident?
 4 A. Yes.
 5 Q. Tell me about those discussions.
 6 What discussions did you have?
 7 MR. KALLEN: Just answer the
 8 question.
 9 THE WITNESS: He is the one that
 10 drilled the holes into the plate and said
 11 that there wasn't enough meat in the plate
 12 to tap into, for tapping into the plate. So
 13 that is --
 14 BY MR. WEBER:
 15 Q. Where were you when that discussion
 16 took place?
 17 A. Probably we were back there looking
 18 in the cockpit.
 19 Q. Had you been down in the lazarette
 20 area yourself on that, on the day of the
 21 accident?
 22 A. I am sure that I went in and looked
 23 at it when they drilled the holes and they told
 24 me it wasn't thick enough, so I probably went
 25 and looked at it and said, yeah, you're right,

1 Q. I understand that. But my question
 2 to you, sir, did you observe the holes yourself?
 3 A. I believe -- Yes.
 4 Q. And you observed the holes
 5 penetrate or go through the aluminum deck; is
 6 that correct?
 7 A. Yes.
 8 Q. In other words, they entered the
 9 void space between the bottom of the aluminum
 10 and the top of the cement?
 11 A. Yes.
 12 Q. But I understand that you can't
 13 tell me today how big in diameter those holes
 14 were?
 15 A. That is correct.
 16 Q. And do you have any basis to tell
 17 me as to who drilled those holes?
 18 A. Brian Mink drilled the holes.
 19 Q. Now, can you tell me what time of
 20 the day it was when you had this discussion with
 21 Brian Mink about the, about not having enough
 22 meat to hold the pumps?
 23 A. That would have been obviously
 24 probably sometime mid-morning because they had
 25 enough time to fabricate the plate and it was

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<p>1 being welded down at three o'clock in the</p> <p>2 afternoon when the accident took place.</p> <p>3 Q. Right. Let me back up that</p> <p>4 conversation, though. Was anybody else privy to</p> <p>5 that conversation? In other words, did anybody</p> <p>6 else take part in that conversation?</p> <p>7 A. Well, I am sure that we had Tony</p> <p>8 Watson there because he would have had to decide</p> <p>9 that we could go ahead and do what we were</p> <p>10 talking about doing.</p> <p>11 Whether or not Henry was there at</p> <p>12 the time of the discussion I do not know.</p> <p>13 Q. Okay, so you think that Tony Watson</p> <p>14 was there as well?</p> <p>15 A. He would had to have been present</p> <p>16 for part of it because he is the one that had to</p> <p>17 authorize the job.</p> <p>18 Q. Well, I don't want you to assume</p> <p>19 anything. What I really want to know is did</p> <p>20 you and Brian Mink have a conversation about</p> <p>21 this and then did you approach Tony Watson</p> <p>22 yourself or was Tony Watson there when Brian</p> <p>23 Mink was telling you about this?</p> <p>24 MR. VALDES: Object to the form.</p> <p>25 BY MR. VALDES:</p>	<p>1 is what we need to do and he would make it</p> <p>2 happen. That is how we did things.</p> <p>3 Q. And is it -- to the extent that you</p> <p>4 know did Tony communicate that to Henry or did</p> <p>5 you communicate it to Henry? How did that</p> <p>6 happen?</p> <p>7 MR. VALDES: Objection, hearsay.</p> <p>8 BY MR. WEBER:</p> <p>9 Q. You can answer, sir?</p> <p>10 A. I can't tell you exactly how it</p> <p>11 went, but everybody had to be told one way or</p> <p>12 the other, like I told you before.</p> <p>13 Q. Let me ask you a general question,</p> <p>14 okay. Were there times, Captain, where you</p> <p>15 approached a welder or an painter or another</p> <p>16 worker, a laborer at the yard at Bradford and</p> <p>17 requested that they do something?</p> <p>18 MR. VALDES: Object to the form.</p> <p>19 THE WITNESS: I would have to -- I</p> <p>20 would have said, hey, we need to get this</p> <p>21 done and they would always have to go and</p> <p>22 get their foreman and bring him back and</p> <p>23 say, can we do this because they had a work</p> <p>24 order for every job. And that is how they</p> <p>25 would charge money for it.</p>
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<p>1 Q. Do you understand my question?</p> <p>2 A. I understand -- Not really.</p> <p>3 Everybody would have been there on this to</p> <p>4 figure out how they were going to do it</p> <p>5 together.</p> <p>6 Q. Okay. Is it safe for me to assume,</p> <p>7 though, at some point you had a discussion with</p> <p>8 Tony Watson about fabricating two metal plates?</p> <p>9 A. That was one metal plate and, yes,</p> <p>10 we would have had that discussion.</p> <p>11 Q. There was only one metal plate?</p> <p>12 A. Yes, two pumps went on one metal</p> <p>13 plate.</p> <p>14 Q. All right, and tell me when did</p> <p>15 that discussion take place?</p> <p>16 A. That would have taken place in the</p> <p>17 morning after Brian had come there with the</p> <p>18 pumps and tried to drill the holes and found out</p> <p>19 that he couldn't tap it.</p> <p>20 Q. What did you say to Tony Watson?</p> <p>21 What did you talk about?</p> <p>22 A. I said, Tony, hey, we need to do</p> <p>23 something here. I don't know. Tony was a very,</p> <p>24 was a very take care of business. You just tell</p> <p>25 him what needed to be done and he would say this</p>	<p>1 BY MR. WEBER:</p> <p>2 Q. So there were times when you would</p> <p>3 approach a laborer and ask him to do a</p> <p>4 particular task, is that true?</p> <p>5 A. I would request that he gets the</p> <p>6 authorization to do it, yes. It was a lot</p> <p>7 easier for me to talk to a guy on the boat and</p> <p>8 let him go talk to his boss than me go run</p> <p>9 around and try to track down his boss because I</p> <p>10 was dealing with twenty people at a time.</p> <p>11 Q. Okay, so it is a simple question.</p> <p>12 There were times when you would approach</p> <p>13 laborers about doing specific tasks, is that</p> <p>14 true?</p> <p>15 A. Yes.</p> <p>16 Q. And then they would go and get</p> <p>17 their foreman, is that true?</p> <p>18 A. Yes.</p> <p>19 Q. And to your knowledge did that</p> <p>20 always happen, did they always go get their</p> <p>21 foreman?</p> <p>22 A. I would say yes.</p> <p>23 Q. Okay. And in this case do you know</p> <p>24 if you approached Henry Naranjo and he went and</p> <p>25 got Tony Watson?</p>

1 MR. KALLEN: What is the question,
2 do you know if he did?
3 MR. VALDES: I object to the form
4 of the question.
5 MR. KALLEN: I didn't hear you
6 correctly.
7 BY MR. WEBER:
8 Q. Let me try it again. In this case
9 when you wanted this metal plate fabricated did
10 you approach Henry Naranjo and then did Henry
11 Naranjo go get Tony Watson?
12 A. That is usually how it happened,
13 yes. This particular incident I can't say yes
14 or no to.
15 Q. All right. You do recall having a
16 discussion with Henry Naranjo, however?
17 A. Yes.
18 Q. All right, and can you tell me how
19 long that discussion lasted?
20 A. No, I can't. They were usually
21 very short.
22 Q. Can you tell me when during the day
23 it took place?
24 A. Like I said, it probably was
25 mid-morning just prior to lunch because they had

1 enough time to fabricate this new plate, drill
2 it all out, tap it and he was getting ready to
3 weld it down at three something in the afternoon
4 when the incident took place.
5 Q. Can you tell me where you were when
6 you had the conversation?
7 A. No, I cannot.
8 Q. Did Henry Naranjo ever ask you to
9 see any plans of the boat?
10 A. No.
11 Q. He did ask you about a couple of
12 fuel tanks?
13 A. They were water tanks. He did ask
14 about tanks and I said they were water tanks.
15 Q. You knew that there was a void
16 space between the bottom of the aluminum deck in
17 the lazarette and the top of the cement,
18 correct?
19 A. I could only guess that there was
20 because when you jumped down on top of the
21 aluminum deck it echoed and you could tell it
22 was not a solid floor.
23 Q. And you knew that as of July the
24 7th of 1997?
25 A. Yes.

1 Q. It was obvious to you, wasn't it?
2 A. I think it would have been obvious
3 to anybody that jumped down on there.
4 Q. Can you tell me, sir, had Henry
5 Naranjo by your observation, had he been in the
6 lazarette area prior to July the 7th of 1997?
7 A. Prior to? I couldn't say. He had
8 been all over the entire boat, top to bottom.
9 Q. Well, and that is my question. Do
10 you know, did you observe him in the lazarette
11 area prior to July the 7th of 1997?
12 MR. VALDES: Objection, asked and
13 answered.
14 MR. KALLEN: Go ahead.
15 THE WITNESS: No, I can't say
16 whether he was in there or in the lazarette
17 itself.
18 I know that he was in the cockpit
19 many a days before that because he put all
20 of my hawse eyes in the cockpit.
21 BY MR. WEBER:
22 Q. When you said that this was
23 supposed to be a ten minute job, what did you
24 mean by that?
25 A. I meant in the scope of what was

1 going on board this vessel, welding this little
2 plate down seemed like it was no big job for
3 anybody, just wan-bam, get it in there so the
4 hydraulics guys could catch up to what we were
5 with the rest of the project.
6 Q. Are you referring to the actual
7 welding of the plate to the deck or actual
8 fabrication of the plate itself or both?
9 A. The whole thing. I mean, it took a
10 half inch piece of aluminum, cut it to fit the
11 size of the bottom of the pumps and they made a
12 template, they drilled the holes, they tapped it
13 and he was in the process of welding it down
14 when all of this happened.
15 And no one could ever have foreseen
16 what this had become at that time.
17 Q. Well, I think the testimony from
18 Mr. Naranjo is that it took him at least several
19 hours to fabricate this plate.
20 Do you have an opinion as to why it
21 took him that long?
22 MR. KALLEN: Object to the form.
23 Do you know why?
24 MR. VALDES: Join.
25 THE WITNESS: I don't know why, but

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1 like I said, he still had to fabricate it.
2 He still had to cut it. He had to round the
3 edges, he had to drill the holes to the
4 proper location to fit the pumps. He had
5 to, he had to tap the holes out and fit it
6 into the space where that needed to go.
7 BY MR. WEBER:
8 Q. Let me talk about the space where
9 it needed to go. Are you with me?
10 A. I am with you.
11 Q. Where was that in relationship to
12 the holes that existed in the aluminum deck?
13 A. We were putting it right in the
14 exact location.
15 Q. Explain that to me?
16 A. Where they laid the pumps out there
17 earlier in the morning, circled the little spots
18 on the deck where they wanted to bolt the pumps
19 to.
20 They drilled those, the pilot
21 holes. They moved the pump out of the way so
22 they could drill bigger holes. That is what
23 they were going to do so they could tap the
24 plate that was on the floor and when that
25 couldn't happen that is when we went onward.

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1 Q. Were there four holes in the base
2 of the pumps for --
3 A. Yes.
4 Q. -- For bolts?
5 A. Yes, there was a bolt in every
6 corner of the pump, so there would be have been
7 eight holes altogether.
8 Q. Eight holes altogether?
9 A. In the plate. I don't know how
10 many were drilled on the floor. I don't think
11 that they were totally finished drilling because
12 they realized that it wasn't going to work, so
13 they went to plan B.
14 Q. You did not observe this explosion
15 occur, is that correct?
16 A. I did not observe it. I felt it.
17 I heard it.
18 Q. Earlier you said that there
19 probably was water in that void space between
20 the cement and the aluminum deck?
21 A. I never said that.
22 Q. Okay. I thought that I heard you
23 say that. Do you have, do you know one way or
24 the other if there was ever water in there?
25 A. I have no idea. There was no way

1 to tell. It was welded down.
2 Q. Mr. Valdes asked you some questions
3 about your conversation with Henry Naranjo and
4 he asked you if you remember only the, member
5 only the gist of the conversation. Do you
6 recall that?
7 A. Yes.
8 Q. Okay, I want to ask you directly,
9 did you tell Mr. Naranjo that this, that the
10 cement went flush to the top of the aluminum
11 deck?
12 A. I would have never told him it went
13 flush to it. I told him that there was cement
14 down under the floor. I didn't know how much,
15 how far it was from the bottom of the floor.
16 But when you jumped down into the
17 hole you could hear it echo, so you knew it
18 wasn't solid.
19 Q. And you did observe holes in that
20 deck, is that correct?
21 A. To the best of my knowledge I did
22 see holes when they came and told me that it
23 wasn't enough meat to tap into.
24 Q. Those were observable without any
25 type of magnification?

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1 A. That would be correct.
2 Q. So if you knelt down in that area,
3 as an example, you could see the holes?
4 A. Pardon me?
5 Q. If you knelt down --
6 A. Oh, yes.
7 Q. -- In the area --
8 A. Yes.
9 Q. -- You could see the holes?
10 A. Yes.
11 Q. If you stood in the lazarette you
12 could see the holes?
13 MR. VALDES: You can't stand in the
14 lazarette.
15 THE WITNESS: You can't stand.
16 There it's only about two and a half feet
17 high back there.
18 BY MR. WEBER:
19 Q. Okay, I guess I meant -- I meant,
20 you couldn't even be crouched down and be in
21 there?
22 A. That is how you had to get in
23 there, on your hands and knees. You had to
24 crawl back into this location.
25 Q. All right, but if you did that you

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<p>1 certainly would be able to see these holes; is</p> <p>2 that correct?</p> <p>3 A. Yes.</p> <p>4 Q. You said earlier that you wanted</p> <p>5 thicker aluminum when you went to replace the</p> <p>6 aluminum deck?</p> <p>7 A. Yes.</p> <p>8 Q. How come?</p> <p>9 A. Well, for one thing, I made it in</p> <p>10 plates, in sections. So there was like I</p> <p>11 believe six pieces so it could all be, it was</p> <p>12 all drilled and tapped and removable so in the</p> <p>13 future you could get underneath there to the</p> <p>14 cement if you ever needed to.</p> <p>15 MR. KALLEN: Wait, are we talking</p> <p>16 about --</p> <p>17 THE WITNESS: We are talking post</p> <p>18 explosion when I put it back together after</p> <p>19 it was blown to bits. I had no reason to</p> <p>20 mess with this aluminum plate prior to it</p> <p>21 exploding.</p> <p>22 BY MR. WEBER:</p> <p>23 Q. And that is what I am asking about,</p> <p>24 I am talking about after the explosion when the</p> <p>25 aluminum deck was replaced?</p>	<p>1 though, that there was cement there and you</p> <p>2 could tell that there was a void area in there</p> <p>3 as I have covered before, that it wasn't a solid</p> <p>4 sound when you got down in there. And they</p> <p>5 would have known that there was a void there</p> <p>6 after they drilled the holes there anyway</p> <p>7 because when they went through the aluminum it</p> <p>8 didn't go into the cement.</p> <p>9 Q. That is all that I have. Thank you</p> <p>10 very much.</p> <p>11 MR. VALDES: I've got some quick</p> <p>12 follow-ups.</p> <p>13 REDIRECT EXAMINATION</p> <p>14 BY MR. VALDES:</p> <p>15 Q. Captain, you don't know if Henry</p> <p>16 drilled into the aluminum prior to the</p> <p>17 explosion, correct?</p> <p>18 A. Brian Mink would have been the one</p> <p>19 that drilled the holes.</p> <p>20 Q. Sitting here today you don't know</p> <p>21 one way or the other if Henry drilled into the</p> <p>22 aluminum?</p> <p>23 A. No, I do not.</p> <p>24 Q. How tall are you, sir?</p> <p>25 A. I am six-four.</p>
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<p>1 A. Yes.</p> <p>2 Q. I understand that you wanted plates</p> <p>3 rather than one uniform sheet. But you also</p> <p>4 stated that you wanted a thicker aluminum there?</p> <p>5 A. Correct.</p> <p>6 Q. How come?</p> <p>7 A. So it wasn't like walking on a pop</p> <p>8 can when you were down there. I mean, we stored</p> <p>9 a two hundred pound anchor down there, one</p> <p>10 hundred amp power cords which weigh around one</p> <p>11 hundred pounds and it just gave you support.</p> <p>12 Q. You felt that there was somewhat or</p> <p>13 that support was somewhat lacking before this</p> <p>14 explosion?</p> <p>15 A. Yes.</p> <p>16 Q. In other words, the floor would</p> <p>17 crinkle, as you stated earlier?</p> <p>18 A. Correct.</p> <p>19 Q. You didn't want that to occur?</p> <p>20 A. Correct.</p> <p>21 Q. Did Henry Naranjo ask you if there</p> <p>22 was any void space underneath this aluminum</p> <p>23 deck?</p> <p>24 A. I don't know if he stated it as a</p> <p>25 direct question to me. I would have told him,</p>	<p>1 Q. How much do you weigh?</p> <p>2 A. 220.</p> <p>3 Q. Did you weigh 220 back then when</p> <p>4 the explosion?</p> <p>5 A. I have relatively been the same for</p> <p>6 many years.</p> <p>7 Q. And you indicated that when you</p> <p>8 jumped down into the lazarette that you could</p> <p>9 feel that the floor would reverberate?</p> <p>10 A. Yes.</p> <p>11 Q. But you would have to jump down</p> <p>12 into it, correct?</p> <p>13 A. When you walked on it, when you</p> <p>14 were down in those hatches. Anytime that you</p> <p>15 went down in, whether you were crawling on it or</p> <p>16 walking on it you could feel it give a little.</p> <p>17 Q. That would be you, you could</p> <p>18 actually feel it?</p> <p>19 A. I could, yes.</p> <p>20 Q. Prior to this explosion occurring</p> <p>21 did you ever offer Henry Naranjo or Tony Watson</p> <p>22 the blueprints?</p> <p>23 A. They were well aware that they were</p> <p>24 on the boat the whole time.</p> <p>25 Q. That is not my question.</p>

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1 MR. KALLEN: Let him finish his
2 answer and then you can follow up.
3 BY MR. VALDES:
4 Q. Yes, I move to strike.
5 MR. KALLEN: Okay, objection.
6 THE WITNESS: Where do I go now?
7 MR. KALLEN: Just finish your
8 answer.
9 THE WITNESS: Yes, they were
10 available on the boat all the time. They
11 knew it, that they were there.
12 BY MR. VALDES:
13 Q. I would move to strike. My
14 question to you is prior to the explosion did
15 you offer Henry or Tony Watson the plans or the
16 survey that we have talked about?
17 A. They had all of this. We were
18 working off of this thing, off the
19 recommendations on the back. We were trying to
20 knock out as many as possible.
21 So, yes, they had seen those.
22 Torch would have had a copy of this the whole
23 time.
24 Q. I would move to strike again as
25 non-responsive. Sir, my question to you is,

1 present during this conversation.
2 Q. But I am asking are you sure?
3 A. I am not sure.
4 Q. Do you have any experience welding?
5 A. No.
6 Q. Did you learn welding in the Navy?
7 A. No.
8 Q. When you testified earlier that you
9 would talk to Henry, did you ever like have to
10 indicate with your hands something that you
11 wanted done with Henry?
12 A. No. I always felt that he
13 understood what we were talking about.
14 Q. You never had to point anything out
15 or point with your hands, I want this done this
16 way, anything like that?
17 A. Not to the best of my recollection.
18 Q. You don't recall right now?
19 A. No.
20 Q. There could have been an instance
21 where you used your hands to convey an idea to
22 Henry that you wanted done?
23 A. I suppose it's possible, yes.
24 Q. Or conveying an idea as to what
25 something is? Same answer?

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1 did you offer Tony Watson or Henry Naranjo the
2 blueprint that we have marked as Exhibit 27?
3 A. Okay, I got you now.
4 Q. Or the survey report, Exhibit 28?
5 Did you offer those two documents to them prior
6 to the explosion?
7 MR. KALLEN: Object to the form.
8 THE WITNESS: I did not offer and
9 they did not ask.
10 BY MR. VALDES:
11 Q. Okay.
12 A. If they would have asked, they
13 would have been there.
14 Q. But you didn't volunteer the
15 information either?
16 A. No.
17 Q. Didn't occur to you, did it?
18 A. No.
19 Q. Getting back to the conversation
20 that you had with Mink, you don't know for sure
21 if Watson was present when Mink came to you and
22 told you this, listen, I have drilled the holes,
23 the skin is too thin, we need some doublers?
24 A. I am almost positive that Tony
25 Watson and Brian Mink and myself would have been

1 A. Yes. It is possible. As you see,
2 I am not in the habit of talking with my hands.
3 Q. Well, if somebody said that you did
4 it that way you wouldn't contradict them, right?
5 MR. KALLEN: Objection to the form.
6 MR. KALLEN: Right.
7 BY MR. VALDES:
8 Q. Do you have a cell phone number?
9 A. Yes, I do.
10 Q. What is it?
11 A. 604-786-5807.
12 Q. And do you have a local phone
13 number?
14 A. No, I live in Vancouver.
15 Q. When are we set for trial?
16 MR. WEBER: November.
17 BY MR. VALDES:
18 Q. Where are you going to be in
19 November this year?
20 A. Hopefully I should be back here by
21 November.
22 Q. Is there a number where we can
23 reach you at when you are outside of Florida?
24 MR. KALLEN: You can't reach him,
25 but I can.

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<p>1 BY MR. VALDES: 2 Q. Well, opposing counsel? 3 A. Yes, he knows all of my numbers, 4 E-mail, the whole deal. 5 Q. You have E-mail? 6 A. Yes. 7 MR. FAMULARI: John doesn't have 8 E-mail yet. He doesn't have a computer yet. 9 MR. KALLEN: I still use 10 walkie-talkie. 11 MR. VALDES: No more questions. 12 RE-CROSS-EXAMINATION 13 BY MR. KALLEN: 14 Q. Just a few follow-up real quick? 15 A. Okay. 16 Q. You said that you don't have any 17 welding experience? 18 A. Correct. 19 Q. Would you know, putting yourself 20 back in July of 1997, whether or not a 21 particular job is safe to begin welding on? 22 A. It wasn't my decision to make. 23 Q. As far as any welding work that 24 would have been done and was done on the boat 25 would you defer to the welders and the welding</p>	<p>1 Q. Or any of their workers? 2 A. No. 3 Q. As far as you were concerned that 4 was the workers or Bradford Marine's 5 responsibility? 6 A. That is why I am in the boat yard 7 for. 8 Q. Just a point of clarification. We 9 know that there were some holes drilled on this 10 subfloor initially with the idea of that is 11 where the pumps would be bolted down into? 12 A. Correct. 13 Q. Is it your understanding that the 14 doubler plates that were fabricated after that 15 were going to be placed in that same exact 16 position on the aluminum floor in the lazarette? 17 A. Yes, they were. 18 Q. So for someone that was placing 19 those plates or one plate or two plates down 20 there they would have, would have had to have 21 seen the holes in the deck? 22 A. Yes. 23 MR. VALDES: Objection, 24 speculation. 25 MR. KALLEN: I have nothing else.</p>
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<p>1 people at Bradford? 2 A. Absolutely. 3 Q. Would there be any reason that you 4 can think of that you would have actually told 5 Henry Naranjo that it was "safe" to weld? 6 A. No. 7 Q. You would have no reason to know 8 that, would you? 9 A. No. 10 Q. Did you ever have any reason to 11 know or suspect that there was or could have 12 been any type of ignitable or flammable gas or 13 fumes or liquid underneath that aluminum 14 subflooring in the lazarette? 15 A. No. 16 Q. As far as what type of work either 17 the owner or you wanted done on the boat, you 18 would express those desires or wants to the 19 people at Bradford, I take it? 20 A. Correct. 21 Q. As far as how the work would 22 actually be done and in what manner and whether 23 it was done safely, would you at anytime dictate 24 that to Bradford people? 25 A. No.</p>	<p>1 MR. VALDES: Mr. Weber? 2 MR. WEBER: No, thank you 3 REDIRECT EXAMINATION 4 BY MR. VALDES: 5 Q. I've got one last question for you, 6 Captain, and we can all go home. 7 Captain, isn't a captain ultimately 8 responsible for what happens on board his 9 vessel? 10 MR. KALLEN: Object to the form. 11 While it's in the shipyard undergoing a 12 refit? 13 MR. VALDES: Listen, I am asking 14 him. If you want we can swear you in, too. 15 MR. KALLEN: You can do it. I'll 16 object to the form. 17 BY MR. VALDES: 18 Q. Captain? 19 A. One more time. 20 Q. Isn't it true that a captain is 21 ultimately responsible for what happens on board 22 his vessel? 23 A. I would say not anymore in this day 24 and age, no. 25 Q. Why?</p>

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<p>1 MR. WEBER: That is two questions, 2 Manny. 3 MR. VALDES: Quiet, Mr. Weber. 4 MR. WEBER: Just kidding. 5 BY MR. VALDES: 6 Q. Why do you say that, Captain? 7 A. Well, you know, you got your thing, 8 your old day captain that they are responsible 9 and go down with the ship and as you know it's 10 not like that any more. That is why I go to a 11 boat yard, so I can take it to people that know 12 what they are doing and have it done by them. 13 I don't know anything about welding 14 or installing the engines. I know how to hire 15 people that know how to do that. That is my 16 job, to make sure that it gets done, not to do 17 it. 18 MR. VALDES: That is it. 19 MR. KALLEN: Not waived. 20 (Thereupon, the taking of the deposition 21 was concluded at 5:00 p.m. and reading and 22 signing were not waived.) 23 24 25</p>	<p>1 2 ERRATA SHEET 3 4 I, John Bredbeck, do hereby acknowledge 5 that I have read this transcript and find it to 6 be accurate except for the corrections noted below. 7 8 PAGE LINE / 9 PAGE LINE / 10 PAGE LINE / 11 PAGE LINE / 12 PAGE LINE / 13 PAGE LINE / 14 PAGE LINE / 15 LINE LINE / 16 PAGE LINE / 17 PAGE LINE / 18 19 20 21 John Bredbeck 22 23 Signed and dated this day of 2001. 24 25</p>
Page 122	Page 124
<p>1 2 3 JURAT PAGE 4 STATE OF FLORIDA) 5) SS. 6 COUNTY OF DADE) 7 8 9 10 I, John Bredbeck, hereby certify that 11 I have read the foregoing transcript pages 1 to 12 and including 122 and find the same to be true 13 and accurate. Any corrections made by me are 14 set forth on the errata page attached hereto. 15 16 17 John Bredbeck 18 19 Sworn to and subscribed before me on this, 20 the day of , 2001. 21 Notary Public, in and for the 22 State of Florida at Large. 23 My Commission expires: June 29th, 2002 24 25</p>	<p>1 2 CERTIFICATE OF OATH 3 4 STATE OF FLORIDA 5 COUNTY OF DADE 6 7 8 I, the undersigned authority, 9 certify that John Bredbeck personally appeared 10 before me and was duly sworn. 11 WITNESS my hand and official seal 12 this 17th day of March, 2001. 13 14 15 16 JULIO A. MOCEGA 17 Notary Public- State of Florida 18 My Commission Expires: 6-29-2002 19 20 21 22 23 24 25</p>

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1
2 CERTIFICATE OF REPORTER

3 STATE OF FLORIDA

4 COUNTY OF DADE

5 I, JULIO A. MOCEGA, Registered
6 Professional Reporter, certify that I was
7 authorized to and did stenographically report
8 the foregoing proceedings; and that the
9 transcript is a true and accurate record.

10 I further certify that I am not an
11 attorney or counsel of any of the parties, nor a
12 relative or employee of any attorney or counsel
13 connected with the action, nor financially
14 interested in the action.

15 Dated this 17th day of March, 2001.

16
17 JULIO A. MOCEGA, R.P.R.

18 State of Florida

19 County of Dade

20
21 The foregoing certificate was acknowledged
22 before me this day of , 2001.
23 by Julio A. Mocega, who is personally known to me.
24
25

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1 JULIO A. MOCEGA & ASSOC, INC
2 25 Southeast 2nd Avenue, Suite 543
3 Miami, Florida 33131
4 Telephone (305) 374-0181

5 TO: John Bredbeck
6 C/O Badiak, Will & Kallen
7 17071 West Dixie Highway
8 North Miami Beach, Fla.

9
10 March 17th, 2001

11
12 IN RE: NARANJO vs. STEPHEN B. SMITH
13 CASE NO. 00-6022 CIV-LENARD

14 Dear Mr. Bredbeck,

15 With reference to the examination of YOURSELF,
16 deponent in the above-styled cause, taken on
17 Feb. 7th, 2000 under oath, please be advised
18 that the transcript of the Deposition has been
19 transcribed and is awaiting your signature.

20 Please arrange to conclude this matter at your
21 earliest convenience. We would suggest that you
22 telephone this office and arrange an appointment
23 suitable for all concerned.

24 However, if this has not been taken care of by
25 April 17th, 2001 we shall conclude the reading
and signing of said deposition has been waived,
and shall then proceed to file the original of
the said transcript with the party who took the
deposition, without further notice to any
parties.

Very Truly yours,

JULIO A. MOCEGA, R.P.R.

cc All Attorneys of Record.

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71:12	71:13	72:18	7:20	74:8	90:2	18:15			underwater [2]	18:20	120:1	120:4	120:13
72:23	73:1	73:7	96:13	111:20		transom [6]	23:17		19:18		120:17	121:3	121:5
73:17	73:19	73:21	together [5]	17:14		31:18	31:24	31:25	uniform [1]	110:3	121:18		
74:2	75:3	75:18	41:1	53:23	98:5	33:17	66:12		UNITED [1]	1:2	Valle [2]	4:3	4:19
75:25	76:12	77:2	109:18			traveled [1]	72:13		units [1]	23:25	Vancouver [2]	78:25	
78:9	79:11	79:19	told [13]	41:21	42:19	trial [1]	116:15		unless [3]	32:19	116:14		
79:19	79:20	80:23	70:15	83:4	94:23	trials [1]	76:6		55:9	55:13	vent [4]	73:4	73:6
80:25	81:11	81:17	99:11	99:12	107:12	tried [2]	26:3	98:18	until [5]	6:14	73:17	75:4	
81:22	82:4	82:6	107:13	107:22	110:25	trouble [1]	82:8		44:11	47:21	vented [3]	72:24	78:17
82:21	83:9	84:7	114:22	118:4		truck [1]	24:13		up [60]	7:5	ventilation [1]	13:6	
84:18	85:3	85:13	Toledo [1]	5:23		true [6]	100:4	100:14	8:9	9:24	ventilator [1]	44:18	
85:16	85:17	86:7	Tom [1]	54:5		100:17	120:20	122:12	15:14	16:7	vents [1]	56:8	
86:17	86:17	86:24	ton [5]	7:14	7:18	125:9			17:17	18:18	very [13]	21:11	22:17
87:1	87:3	87:6	7:22	7:24	72:21	Truly [1]	126:22		19:14	19:16	45:7	50:3	59:7
87:8	87:9	87:17	Tony [27]	20:25		try [3]	55:25	100:9	21:4	21:5	68:18	79:18	88:1
87:21	87:25	89:1	21:1	21:11	27:24	trying [3]	87:6		26:10	29:15	98:23	98:24	101:21
89:21	90:5	90:10	28:1	28:8	44:5	turn [4]	31:6	38:12	32:4	32:9	111:10	126:22	
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91:21	91:24	91:25	98:8	98:20	98:22				55:2	57:16	20:1	20:3	21:5
91:25	92:1	92:4	101:11	112:21	113:15				58:11	60:4	21:8	21:15	21:17
92:7	92:12	92:14	114:1	114:24					60:9	60:14			
92:14	93:19	94:3	too [9]	19:5	25:10								
94:12	95:1	95:15											
95:19	95:21	95:24											
95:25	96:2	96:16											
96:17	96:22	96:25											

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21:20	22:6	29:21	13:25	14:1	14:6	77:7	77:9	77:13	97:13	97:21	97:22	83:20	83:24	84:2
33:11	39:22	40:3	14:9	14:24	15:13	77:14	77:15	77:18	98:8	98:20	100:25	84:3	94:14	99:8
40:6	41:3	42:25	15:20	15:22	15:23	77:19	78:7	79:12	101:11	112:21	113:15	100:1	101:7	103:21
44:13	54:4	54:12	16:1	16:4	16:6	79:13	79:17	80:12	114:1	114:21	114:25	105:7	108:18	109:22
62:21	63:1	63:5	16:13	16:16	17:3	81:18	81:20	81:21	way [18]			116:16	120:1	120:2
71:20	71:23	72:20	17:10	17:20	17:21	81:22	82:17	82:21	31:22	32:15	68:8	121:1	121:3	121:4
76:22	77:7	77:13	17:22	18:7	18:8	83:2	83:4	83:7	68:22	70:15	70:16	week [5]		
77:16	78:15	78:16	18:9	19:1	19:7	83:16	84:20	85:2	70:25	71:6	93:15	17:25	22:24	86:19
79:10	79:12	80:19	19:8	19:13	19:16	85:3	85:3	85:5	99:11	105:21	106:23	weeks [3]		
81:17	85:14	85:18	19:17	19:19	20:3	85:5	85:8	85:9	106:25	111:21	115:16	33:13	47:22	9:23
86:8	86:13	88:16	20:4	20:7	20:11	85:11	85:12	85:14	116:4			weigh [3]		
104:1	120:9	120:22	20:14	20:15	21:1	85:16	86:7	86:15	we [153]			112:1	112:3	110:10
vessels [5]		54:15	21:10	21:10	21:12	86:16	87:9	87:19	10:4	11:5	11:10	weird [1]		
54:21	54:25	56:5	21:16	21:18	21:18	87:21	87:25	88:1	11:24	13:3	13:5	weld [10]		
75:3			21:19	21:22	21:25	88:4	88:7	88:8	13:13	14:2	15:6	57:11	57:12	27:17
view [1]		65:13	22:1	22:3	22:3	88:9	88:16	88:18	15:7	15:9	15:11	69:1	69:5	64:20
visible [1]		44:21	22:7	22:9	22:12	88:19	88:20	88:21	15:14	15:18	16:7	70:5	102:3	118:5
void [14]		42:4	22:14	22:21	22:24	88:23	90:5	91:1	16:12	16:21	16:21	welded [18]		
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75:3	75:6	78:16	23:8	23:9	23:18	92:12	93:15	93:22	17:7	17:8	17:15	57:24	67:22	68:20
96:9	102:15	106:19	24:10	24:20	25:7	93:25	95:24	96:20	17:16	17:16	18:4	69:11	69:17	69:18
110:22	111:2	111:5	25:8	25:10	25:15	96:25	97:4	97:11	18:4	18:16	18:19	69:20	69:22	69:24
volt [2]		31:4	25:16	25:20	26:6	97:14	97:22	97:23	18:21	18:22	18:24	71:9	71:10	79:15
volunteer [1]		114:14	26:17	27:1	27:8	98:9	98:11	98:23	19:1	19:6	19:20	97:1	107:1	
vs [2]		1:8	27:21	27:24	28:8	98:24	100:6	100:10	20:1	20:2	20:20	welder [1]		
W [1]		1:14	28:8	28:15	29:6	101:24	102:2	102:15	20:21	22:16	23:8	welders [3]		
W6 [1]		11:25	29:12	29:12	29:24	102:19	102:22	103:1	23:9	23:10	23:12	21:13	117:25	
Wait [1]		109:15	29:25	30:2	30:4	103:16	103:18	103:22	23:12	26:5	27:16	welding [18]		
waived [3]		121:19	30:6	30:7	30:9	103:25	104:2	104:13	27:18	27:19	27:22	14:7	19:18	21:2
121:22	126:19		30:9	30:21	30:22	105:11	105:24	106:5	28:7	29:1	29:3	25:13	42:9	43:10
walk [2]		59:1	31:2	31:10	31:11	106:19	106:24	106:25	29:14	29:16	30:7	45:9	104:1	104:7
walked [1]		112:13	31:21	31:23	32:8	107:1	107:13	107:15	30:15	33:4	33:7	104:13	115:4	115:6
walkie-talkie [1]			32:14	32:19	32:21	109:10	109:11	109:19	33:7	34:2	34:2	117:17	117:21	117:23
117:10			32:24	33:17	33:17	109:25	110:12	110:13	34:6	34:9	35:24	117:25	121:13	
walking [3]		59:5	34:21	34:25	37:16	110:22	111:1	111:2	36:5	36:9	36:14	welds [3]		
110:7	112:16		37:17	38:2	38:6	111:5	114:21	117:24	36:17	36:19	36:20	68:7	68:10	
walls [1]		18:16	38:20	38:23	39:9	118:5	118:11	118:23	36:25	37:5	37:9	well [47]		
wan-bam [1]		104:3	39:21	40:5	40:5	119:4	119:18	121:21	37:10	37:18	38:11	16:2	16:5	16:12
want [24]		4:7	40:25	41:17	41:18	124:10	125:6	125:21	39:16	41:11	43:4	17:15	18:10	19:4
5:11	16:10	17:17	42:4	42:13	42:16	washers [1]			43:7	44:4	44:6	21:25	22:12	23:7
33:14	33:16	37:2	42:19	42:21	42:23	wasn't [21]			44:6	45:14	46:5	26:2	32:12	34:24
37:24	43:22	56:2	43:1	43:12	43:24	14:7	26:3	37:16	46:6	47:12	52:9	39:12	46:5	53:22
60:25	61:2	62:6	44:9	44:22	45:2	56:12	56:21	57:20	53:23	54:5	56:3	55:11	57:23	58:13
65:3	70:14	71:5	45:10	45:17	46:7	59:8	59:17	65:2	56:6	58:14	58:15	68:10	68:18	73:11
73:7	73:16	97:18	46:10	46:10	46:11	67:25	69:23	94:11	58:21	58:22	60:22	73:23	76:25	78:2
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115:15	120:14		47:21	48:8	48:8	107:18	107:23	110:7	65:6	65:7	68:14	84:6	85:9	86:9
wanted [21]		9:25	48:10	49:5	49:9	111:3	117:22		70:9	70:9	72:13	89:6	89:18	90:7
15:16	16:6	17:2	49:16	50:8	50:14	watch [3]			72:15	74:22	75:22	93:2	93:22	97:7
17:5	20:2	40:19	50:23	50:25	51:12	45:2	45:5		76:23	77:12	80:22	97:14	97:18	103:9
64:12	70:20	70:22	51:19	51:23	53:15	watches [1]			84:10	85:15	87:13	104:17	109:9	112:23
70:23	70:25	87:25	53:18	53:20	53:22	water [38]			87:14	87:16	90:20	116:3	117:2	121:7
101:9	105:18	109:4	53:24	54:3	54:7	17:23	17:24	18:5	91:7	94:17	95:1	went [31]		
110:2	110:4	115:11	54:11	54:25	55:2	18:8	18:9	19:8	97:7	97:9	97:9	8:11	9:1	13:17
115:22	118:17		56:5	56:7	56:14	19:20	20:4	21:18	98:10	98:22	99:1	14:25	16:15	16:24
wants [1]		118:18	56:15	56:17	56:18	21:19	22:4	29:20	99:2	99:20	99:23	16:25	17:19	21:4
was [377]		4:2	57:6	57:11	57:12	30:25	32:3	32:9	104:4	105:13	105:25	21:5	21:17	21:21
4:25	5:4	5:5	57:15	57:18	57:21	32:12	32:17	32:22	109:15	109:17	110:8	31:6	31:25	34:6
6:15	6:16	6:17	57:24	58:7	58:11	32:24	35:3	38:13	113:16	113:17	113:19	35:2	35:4	46:6
7:16	8:7	8:9	58:12	58:13	58:16	42:21	54:22	58:2	114:2	114:23	115:13	94:22	94:24	98:12
8:13	9:6	9:9	59:5	59:7	59:13	58:7	58:12	58:13	116:15	116:22	119:8	99:11	100:24	105:25
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10:15	10:16	10:18	60:20	61:3	62:2	85:11	85:13	85:15	we'd [1]			109:5	111:7	112:15
11:9	11:16	11:19	63:1	64:1	64:11	102:13	102:14	106:19	we'll [4]			were [162]		
11:21	11:24	12:1	65:9	65:24	67:2	106:24			77:5	79:25		6:23	6:24	9:11
12:4	12:8	12:11	67:4	67:5	67:22	watertight [5]			weather [2]			10:8	11:25	12:2
12:13	12:15	12:17	68:2	68:20	68:21	34:8	56:15	56:19	7:4			12:3	12:5	12:9
12:19	12:21	12:24	69:16	69:17	69:18	56:21			Weber [28]			15:9	16:13	16:17
13:10	13:15	13:25	69:20	69:22	70:4	Watson [22]			3:8	4:16	4:21	16:21	17:13	18:4
			70:12	71:11	71:13	21:1	27:24	28:1	10:24	11:2	11:8	18:21	19:2	19:5
			71:25	72:2	72:5	44:5	67:9	67:17	11:12	25:20	36:18	19:10	19:10	19:14
			72:11	74:20	74:22	67:21	70:8	97:8						
			75:6	75:7	75:25									

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21:23	22:5	22:8	59:11	59:20	59:23	wherever [1]		9:25	53:17	56:8	62:2	worth [2]		47:22
22:15	22:16	23:10	60:8	61:16	62:20	whether [15]		4:3	67:13	70:11	71:25	75:14		
23:16	24:6	24:18	63:17	65:7	65:18	28:15	30:12	32:8	72:13	75:6	76:24	would [167]		4:4
25:5	25:5	26:7	68:5	68:14	69:6	44:14	44:17	51:17	77:21	78:16	81:24	7:9	9:22	9:23
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28:7	28:10	28:13	70:19	70:22	70:23	97:11	103:16	112:15	82:21	87:19	89:24	10:4	10:5	11:17
29:2	29:2	30:7	70:24	71:4	74:18	117:20	118:22		90:11	91:7	92:2	15:10	15:17	17:24
30:13	30:18	30:22	74:19	79:2	82:3	which [17]		6:9	92:5	93:13	93:16	20:8	20:20	20:25
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38:24	40:10	40:10	92:12	92:23	93:4	110:10			116:2	119:10	121:9	31:7	32:3	32:12
40:18	40:19	41:2	93:10	94:6	95:1	while [15]		10:4	125:13	126:12	126:20	32:13	34:20	35:8
41:6	44:14	45:7	95:9	96:19	97:9	12:25	15:13	18:8	within [1]		47:16	35:8	35:9	35:15
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53:6	53:14	58:15	115:13	115:24	116:10	who [23]	4:17	15:23	33:19	35:21	38:18	44:24	48:12	48:22
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63:19	63:23	64:9	whatever [6]		15:10	24:10	24:15	25:18	55:19	55:22	55:24	59:2	59:12	59:12
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79:13	82:24	82:25	9:6	9:21	10:7	whoa [5]	26:9	26:9	124:11			66:13	66:25	67:16
83:11	84:17	87:8	14:13	15:11	16:12	33:9	33:9	33:9	won't [1]		47:2	67:18	67:24	68:22
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what [132]		5:18	102:20	103:22	104:14	windows [3]		13:5	81:18	86:2	86:4	113:13	113:22	113:24
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49:13	49:14	49:14	105:8	105:11	105:16							75:9	75:12	75:23
50:5	53:19	53:20	105:18	113:6	115:21									

NARANJO vs. STEPHEN B. SMITH

CondenseIt™

yachts - zone

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Yamaha [1]	29:25		you [593]	4:8	5:11	59:13	59:16	59:17	100:2	100:12	100:23	96:2	97:22
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